

CHAPTER X.

REVENUE ADMINISTRATION.

HISTORY OF LAND REVENUE.

The earliest records of land revenue before the British stepped into the district are still vague and unexplored. Mr. C. J. Stevenson-Moore, Settlement Officer, North Bihar, in the *Survey and Settlement Operations Report* (1892–1899) of *Champaran* published in 1900 has for the first time given the detailed history of the land revenue administration, especially, after the occupation of the district by the British. L. S. S. O'Malley in the Preface of the *District Gazetteer of Champaran* published in 1907 had acknowledged the assistance of Mr. C. J. Stevenson-Moore and followed his foot-steps in compiling the land revenue administration chapter. Mr. C. J. Stevenson-Moore had made an attempt to trace the history of land revenue administration since the assessment made by Raja Todar Mall.

During the reign of Akbar, *Sarkar* Champaran was a part of Subah Bihar.* “Champaran in the time of Akbar”, mentions Mr. C. J. Stevenson-Moore in his final report of *Survey and Settlement Operations*, 1892–1899 published in 1900 “as now, consisted of the three *parganas*, Semraon, Mehsi and Majhawa”. *Parganas* Mehsi and Semraon are almost co-extensive with thanas Madhuban and Dhaka, respectively, and cover a long narrow strip of land, running from the confines of Nepal on the north to the borders of Tirhut on the south, and separated from the latter on the east by the Baghmata and from the neighbouring *pargana* of Majhawa on the west by the Tiar and Burhi Gandak rivers. These two *parganas* account for an area of only two rather small thanas, and the rest of the district is contained in the immense *pargana* of Majhawa; its northern and north-western boundaries march with Nepal and the Gandak separates it from Butawal and from the districts of Gorakhpur and Saran on the south-west and south. This enormous *pargana* almost comprises the thanas of Adapur, Motihari, Kessariya, Govindganj and Bettiah with small portions of Bagaha and Shikarpur.

These three *parganas* are divided into 32 *tappas* or minor divisions, of which a list is given below :—

Majhawa Pargana.—Bahas, Balthar, Balua Gondauli, Belwa, Bhabta, Chanki, Chigwan Batsara, Chigwan Nisf, Daulata, Deoraj, Duho Suho, Gopala, Harnatanr, Jafarabad, Jamhauili, Khada, Madhwal, Mando, Manpur Chaudand, Olaha, Patjirwa, Rajpur Sihoria, Ramgir, Sakhwa, Sathi, Sonwal, Sugaon.

* It is mentioned in the *Ain-i-Akbari* that Subah Bihar consisted of six *Sarkars*, viz., Rohtas, Hajipur, Bahar, Tirhut, Saran and Champaran.

Mehsi Pargana.—Harihara, Haveli, Salempur Hadiabad, Sirauna.

Simraon Pargana.—Nonaur.

The results of the great land revenue assessment made by Raja Todar Mall during Akbar's reign, were condensed by the Finance Minister and scholar, Abul Fazl, in the statistical account which forms a portion of the *Ain-i-Akbari* (the third book of Blochman's translation). From this it is seen that Champaran had already become of sufficient importance to be recognised as a distinct revenue unit and separate statistics for it were compiled. It had also been brought into touch with military system of the empire, for according to Abul Fazl, it was responsible for the supply and maintenance of 700 horses and 30,000 infantry.

In the settlement made by Todar Mall in the time of the Emperor Akbar, 99,424 acres or 148 square miles* are said to have been assessed to a revenue of Rs. 1,37,835; but it seems uncertain that this area included even all the cultivated land of the district, and it is probable that isolated stretches of cultivation escaped assessment. However, this may be, it is noticeable that the assessment was based on the high incidence of Rs. 1-6-0 per acre. About a century later the revenue was raised to Rs. 2,10,151 by an assessment made in 1685 in the reign of Aurangzeb; but in 1750 it was reduced by nearly Rs. 10,000 by Ali Vardi Khan. It is difficult to ascertain what the actually assessed revenue of the district was when the British took it over in 1765, but it appears to have stood at about Rs. 2 lakhs.

At this time *Sirkar* Champaran was in the possession of the Bettiah Raj family, the head of which Raja Jugal Keshwar Singh, fell into arrears of revenue and defied the authority of the British Government. The estate was thereon seized and brought under the direct management of the East India Company, and annual settlements were made until it was only Rs. 1,39,389 in 1773, i.e., very little more than the amount assessed by Todar Mall two centuries before. This state of affairs was due not only to the troubles with the Bettiah Raj but also to the famine of 1770. According to Hamilton's description of Hindostan (1820) *Sarkar* Champaran or Bettiah suffered severely during the great famine of 1770, when almost half the inhabitants are supposed to have perished. Besides this, the *zamindars* of Champaran having for many years been deprived of their lands which were leased to ignorant and rapacious farmers of the revenue, they experienced such oppression that the majority of the population which survived the famine was obliged to abscond, leaving the country almost a desert. Since that

* The figure of 148 square miles has been mentioned in the *Final Report of Survey and Settlement Operations* according to a measurement in vogue. This figure has been established to 155 square miles in the last District Gazetteer

melancholy epoch the *zamindars* have been re-established by the decennial settlement, many of the ancient inhabitants have returned, and cultivation has been prosecuted.

"In order to trace the effect in this district of the land revenue administration from 1765—when the East India Company stood forth as *diwan*—to the present time" mentions the *Survey and Settlement Operation Report*, 1892–1899, by C. J. Stevenson-Moore (1900) "it will be convenient to divide its history into periods".

"The Muhammadan period being regarded as the first stage, the second stage runs from 1765 to 1790 A. D., that is, from the acquisition of the *diwani* to the decennial settlement. In 1766 Mahomed Raza Khan was entrusted with the revision of the land revenue of Subah Bihar, but he confined himself mainly to adjusting, without altering, the existing assessment. Annual settlements were made until 1772, when, under the control of European supervisors, a quinquennial settlement was attempted. It proved a failure, and in 1786 after annual settlements which also were largely unsuccessful, the Directors tired of these fruitless experiments, expressed a desire for a durable assessment on the basis of actual collections for a term of years".

"The decennial settlement was the result. It was made with the *zamindars*, farmers being introduced only in case of recusancy. It was concluded in 1790, and was, three years later, with only slight modifications, confirmed in perpetuity. The third period deals with the immediate effects of the settlement after its declaration as permanent.

"It is well-known that the immediate effects of the Regulation of 1793 are popularly recognised as having been—to bestow the status of proprietors on many who were mere rent-receivers; to provide measures for the protection of the *rai-yats*, which, though theoretically sound, were practically abortive; and by the sudden introduction of a stringent system of the sale for arrears of revenue to ruin large number of the hereditary land-owners. Mr. MacNeile, in describing in his memorandum the effects of what he terms the 'first unbending fixture' with which the natives of this country were brought in contact, remarks: 'It is scarcely too much to say that within the ten years that immediately followed the permanent settlement, a complete revolution took place in the constitution and the ownership of the estates which formed the subject of that settlement'. While I shall show hereafter that this description in its application to North Bihar, must be considered as an over-statement of facts, still, in Bengal generally it is probable that the excessive number of defaults endangered the success of the permanent settlement, and this view led to the passing of Regulation VII of 1799, the notorious *Haftam* which accorded to *zamindars* an unrestricted power of distraint and eviction without reference to any court; and, to complete their

despotic authority, rendered any tenant unable to prove the truthfulness of a complaint made against his landlord in a court, liable to fine or imprisonment. The effect in reducing in Bengal the number of sales for arrears of revenue was immediate; and when it was seen that the revenue was secured, a revulsion of feeling set in which found expression in Regulation V of 1812 (the *Panjam*), whereby only the property and not the person of the tenant was liable to seizure for default. This Regulation proved unsatisfactory, and the opinion began to grow that efficient administration was impossible without a more active intervention. In consequence, Regulation XII of 1819 was passed for the resuscitation and reorganisation of *patwaris*; but what had now grown into a definite desire to safeguard the cultivator's rights was defeated by the concession to the *zamindars* of a joint control over the *patwaris*, which resulted in the latter, being transformed from protector of the *raiya*s to subservient agents ready to further the illicit practices of the *zamindars*.

"At the time of permanent settlement the authority, to hereafter scrutinise all rent-free grants, and, if invalid, to assess them, was specially reserved. It was announced in the Proclamation of 1793, that 'the Governor-General in Council will impose such assessment as he may deem equitable on all lands, at present alienated and paying no public revenue, which have been or may prove to be held under illegal or invalid titles'. Revenue-free lands were divided into two classes—*badshahi* and *hukumi*; the former being those that were granted by the Mughal Emperors direct, and the latter, by Government officials. Regulation XXXVII of 1793 dealt with *badshahi* grants, and Regulation XIX of the same year with the others, *badshahi* grants were recognised as valid if the holder could prove his *sanad* and was in possession. *Hukumi* grants, though in their nature invalid, were accepted as valid if dated prior to 1765. All grants of a subsequent date were invalid, but those given between 1765 and 1790 were to be accorded a privileged rate of assessment. By Regulation XIX all *lakhiraj* grants made by *zamindars* after 1790 were invalidated, and *zamindars* were authorised to nullify their own grants. Moreover, the Government ruled, that for any grant of less than 100 *bighas*, it would forego all claims to revenue and leave to the *zamindar* the authority to assess it to rent. No practical steps were taken at the time these Regulations were passed but in 1800 an attempt was made by a Regulation of that year to provide for the preparation of a *parganawar* register, by making local enquiries through *kanungoes*, and also by compelling *lakhirajdars* to register their interests; but this, too, proved to be inoperative, and in 1819 a further attempt at amplification of the law and its effective application resulted in Regulation II of that year, the principal provision of which transferred the power of resumption from civil to revenue courts. It was supplemented by Regulation III of 1828, which appointed an executive agency in the

person of a Special Commissioner, to give practical effect to the policy of Government; and it was under his guidance that resumption proceedings were systematically undertaken between the years 1830 to 1845, which resulted in a very material increase in the revenue. Mr. MacNeile, in his memorandum, calculated the total increase, mainly on this account for the whole of Bengal at Rs. 66,21,144, for no less than two-third of which Bihar accounted..... The fourth period is marked by active operations for the resumption of invalid revenue-free grants, and can be said to have extended up to 1845.

"The fifth period is characterised by the execution of the first professional village survey in these provisions, the revenue survey of 1843-1849. Act IX of 1847 was also passed providing for a survey of *diara* lands and the assessment of accretions during this period, and it formed the basis of the *diara* survey of 1865.

"The sixth and the last period runs from 1850 down to the present time (1890), its chief characteristics being a sustained attempt on the part of Government to undo, by practical legislation, the injury to the cultivating classes and to the administration caused by that policy of blind non-interventions which, while not directly emanating from the Permanent Settlement, had grown up round it, which had been so abused by the strong at the expense of the weak, and which had been adjudged as both impracticable and deleterious 30 years before. In Act XI of 1859 the Revenue Sale Law at present in operation was enacted. By Act X of the same year, and Act VIII of 1869, the first conscientious attempt was made to define, by practical legislation, the status and rights of tenants, and the principles on which rents might be enhanced. From 1870 onwards ensued a period of great activity in the land revenue administration. Road cess was introduced. A certificate procedure had been provided by Act VII (B. C.) of 1868. It was recognised that, with so many new duties to perform, the administration could not be effective without a complete record of estates and of proprietary interests in them. Hence the Land Registration Act VII (B. C.) of 1876 was passed. In the same year, the Partition Act VIII of 1876, introduced with the original intention of restricting partitions and simplifying the procedure, became law. In 1872 and 1873 rent disturbances had occurred in Pabna and elsewhere in Bengal. In 1874 the great famine occurred in Bihar, which drew public attention to the depressed condition of the peasantry in that province. Both events impressed on Government the necessity for revising the rent law. The Rent Law Commission was appointed, whose labours culminated in the Bengal Tenancy Act of 1885, and the present settlement and survey operations."

To give an idea of the state of revenue in the *Sarkar* Champaran during the early periods of the British administration will be of interest. The most accurate account available is contained in a

letter, dated the 15th June, 1771, from Mr. Golding, the then Supervisor of *Sarkar* Champaran, in which he reported the desolate condition of the country and its falling revenue, and suggested the partial restoration of Jugal Keshwar Singh and the partition of the *Sarkar* between him and Shrikrishan Singh as the proper remedy. He observed as follows " *Sarkar* Champaran is in a state of desolation and ruin hardly to be credited by one who has not been a witness to it. This assertion will be partly demonstrated by the account of its collections which I enclose for the year " (i.e., (1766).

Progressive account of the collections in *Sarkar* Champaran from the years 1173 to 1177 (inclusive) is given below :—

			Rs.	a.	p.
1173 or 1766	..	..	7,50,277	6	3
1174 or 1767	..	..	5,52,059	14	9
1175 or 1768	..	..	4,72,459	2	9
1176 or 1769	..	..	3,93,350	5	3
1177 or 1770	..	..	2,79,133	11	9

The next authentic record is a register connected with the name of Nawab Hoshiyar Jang, Subahdar of Bengal which the Collector of Saran writing in 1823 describes "a collection of Kanungoes' *jama wasilbaki* papers for the Fasli year 1180 (i.e., 1773 A. D.) for the parganas then included in the district of Saran". According to this there were then in *Sarkar* Champaran 7 *mahals* 4 *parganas* (including Babra, since transferred to Muzaffarpur), 35 *tappas* comprising 1,802 villages of which 1,154 were *asli* and 648 *dakhili*. They included 228 revenue free villages (158 *asli* and 70 *dakhili*), estimated to yield a *tumari jama* or standard assessment as understood by Todar Mall, to the amount of Rs. 33,974. The remaining villages were charged with a revenue of Rs. 1,75,251 inclusive of *abwabs* or excluding Babra with Rs. 1,39,389.

The following table distributes the amount, *pargana* by *pargana* and compares it with the figures of Todar Mall :—

Pargana.	Revenue of—	
	1582.	1773.
	Rs.	Rs.
Majhawa	37,373	80,188
Mehsi	87,960	51,858
Simraon	12,502	7,343
Total	1,37,835	1,39,389

Thus the figures indicate that in spite of the lapse of 200 years the revenue of *Sarkar* Champaran remained approximately the same.

Mr. Golding had attributed this state of affair due to mismanagement of Jugal Keshwar Singh and in a letter addressed to the Patna Council on the 17th June, 1772, he had written as follows :—

“Agreeable to your orders of the 18th ultimo, I repaired to *Sarkar Champaran*, and have been chiefly employed in adjusting the business of Jugal Keshwar's zamindari. The country I found in so very ruinous a condition that without timely alteration in the mode of settlement I am confidently of opinion that not half of the present nominal revenue would have been collected in this year. Raja Jugal Keshwar Singh, contrary to expectations which were entertained of him proves to be very unequal to the management of a zamindari, which requires so much attention”.

The quinquennial settlement which followed the settlement of 1773 was made with the farmers. But this also proved a failure. The amount of revenue collected in 1774 was Rs. 1,95,648 as against Rs. 4,72,790 in 1789. Throughout this period, i.e., from 1774 to 1789 the revenue of *Sarkar Champaran* was marked by extraordinary fluctuations. In order to bring steadiness in the land revenue the decennial settlement was made which was afterwards converted into the Permanent Settlement. It appears that the *jama* settled in the decennial settlement or the 99 years' settlement was Rs. 3,98,253-6-9 or excluding *Babra pargana*, which was transferred to Tirhut in 1865, at Rs. 3,51,427-3-9. When this settlement was concluded Champaran was divided into six estates, the largest of which comprised the two parganas of Majhawa and Simraon and was charged with a revenue of over 2 lakhs which the smallest consisted of one village, Harpur Rai assessed at Rs. 300. Majhawa and Simraon were held by Bir Keshwar Singh of Bettiah Raj, Mehsi and Babra with a revenue of Rs. 1,25,350 by the Sheohar Raj family, *tappa* Duho Suho by the founder of Madhuban family and *tappas* Ramgir, Jamhauri and Chigwan by the Ram Nagar Raja.

At the Permanent Settlement concluded in 1793, the decennial settlement, with some slight modifications, was confirmed in perpetuity, the revenue assessed being *pargana*-wise as follows :—

Pargana.					Revenue in rupees.
Mehsi	..	..	..	..	78,532
Simraon	..	..	..	..	14,430
Majhawa	..	..	..	..	2,92,625
Total ..					3,85,587

A comparative statement of the area and the incidence of revenue compared with that of Todar Mall is given below :—

Pargana.	Area.		Revenue.		Incidence per acre	
	1582.	1790.	1582.	1790.	1582.	1790.
1	2	3	4	5	6	7
	Acres.	Acres.	Rs.	Rs.	Rs. a. p.	Rs. a. p.
Mehsi ..	65,070	1,38,317	87,960	78,532	1 5 0	0 9 0
Simraon ..	8,352	67,795	12,502	14,430	1 7 0	0 3 6
Majhawa ..	26,002	4,60,412	37,372	2,47,773	1 6 0	0 9 0
Total ..	99,424	6,66,524	1,37,834	3,40,735	1 6 0	0 8 0

It is apparent that, while the revenue had trebled itself since 1582, the incidence of revenue per acre fell from Rs. 1-6-0 to annas 8. This means a light assessment on large areas reclaimed since Akbar's time.

RESUMPTION PROCEEDINGS.

In Hoshiyar Jang's register 228 villages with an estimated rental of Rs. 33,974 were noted as being unassessed to the revenue. In 1765 after due investigation it was reported that the extent of the *lakhraj* lands in Champaran was found to be 1,34,211½ bighas in 283 villages. The resumption proceedings were briskly taken in the district between 1834 and 1841 which added up to the tune of Rs. 1,03,540.

PROFESSIONAL SURVEY.

The professional survey was taken between 1843—1849. According to this survey the number of estates was 2,452, area 22,90,481 acres or 3,578.86 square miles, revenue Rs. 5,08,737. The significance of these figures cannot be realised without comparing them with the previous figures of 1582 and 1790.

Area in square miles.			Incidence of revenue per acre.		
1582.	1790.	1845.	1582.	1790.	1845.
1	2	3	4	5	6
Rs.	Rs.	Rs.	Rs. a. p.	Rs. a. p.	Rs. a. p.
155	1,041	3,578	1 6 0	0 8 0	0 3 6

From the above figures it is apparent that there had been remarkable decrease in the incidence of revenue per acre in 1790 and 1845 while there was a phenomenal increase in the areas.

CADASTRAL SURVEY OF 1892—1899.

The cadastral survey was started in 1892 and came to a close in 1899. Up to May, 1895, the Saran and Champaran operations were carried on together but as the work progressed this was found to be unsuitable and settlement work for Champaran was separated from that of Saran. As in other districts the cadastral survey in Champaran was preceded by a traverse or boundary survey. The area surveyed in traverse was 3,298 square miles while according to the cadastral survey it was 3,244 square miles. The district was divided into 9 revenue thanas, the area of each of the thanas was as follows :—

Thana.				Area in square miles.
<i>Bettiah Subdivision.</i>				
(1) Bagaha	..	..	..	619
(2) Shikarpur	..	..	..	554
(3) Bettiah	..	..	..	547
				1,720
<i>Sadar Subdivision.</i>				
(4) Adapur	..	..	..	224
(5) Dhaka	..	..	..	335
(6) Motihari	..	..	..	290
(7) Govindganj	..	..	..	286
(8) Keshariya	..	..	..	273
(9) Madhuban	..	..	..	122
				1,530

Out of the total area of 20,79,815 acres, 14,47,668 acres or near-about 70 per cent were cultivated, and 6,32,147 acres or about 30 per cent uncultivated. The total revenue assessed was Rs. 5,15,803.

REVISIONAL SURVEY.

The Revisional Survey was started in 1913 and came to a close in 1919. The total area in acres of the district according to this settlement was 20,77,735 as against 20,79,815 of the last settlement. Out of the total area of it 14,29,859 acres or 69 per cent were cultivated, while 6,47,875 acres or 31 per cent uncultivated. The total revenue assessed was Rs. 5,15,135.

Since J. A. Sweeney's Revisional Survey and Settlement Operations (1913—1919), the report of which was published in 1922, no fresh survey and settlement operations had been conducted in

the district. The picture of the land system that emerged from the revisional settlement of 1913-1919 practically remained the same till the Congress Ministry came into power in 1937 out of the elections under Provincial Autonomy of 1935. During this period, however, some ameliorative measures were taken to improve the condition of the tenants. The successful Indigo *Satyagraha* in Champaran led by Mahatma Gandhi as discussed before was a landmark and it ushered in a renaissance among the general peasantry. They became conscious of their rights and obligations *vis-a-vis* to landlords and the tenure-holders. Cultivation of indigo against popular will and *abwabs* were particular targets and with the growing consciousness of the tenant there was a gradual decline of indigo cultivation and payment of the *abwabs*. The *kisans* began to realise that they had a say in the administration. In the late twenties of the present century the *kisan* agitation led by Swami Sahjanand Saraswati and others had produced some ferment among the peasants of Bihar including that of Champaran. These agitations got further momentum due to the launching of salt *Satyagraha* and the Civil Disobedience Movement as the uneconomic condition of the tenancy was always highlighted by the leaders.

An important agrarian reform was done when in 1920 Government took the step to abolish the age-long *kamiauti* system: "The Bihar and Orissa Kamiauti Agreement Act of 1920" was passed according to which the old system of bonded labour was abolished. Before that it was quite common that landlords big or small had *kamias* or labourers tied down to the zamindars or big cultivators. Usually some money was given as loan and the interest was paid in form of labour and this continued from generation to generation.

The low price of agricultural products due to the general depression since 1931 had made the condition of the agriculturists worse. The *kisan* agitation brought in a certain amount of tension between the landlords and the tenants. The landlords refused to show any accommodation to the tenants in payment of rent or in carrying out improvements to the lands. There was a great agitation for the reduction of rents in consideration of the low price level of the produce of the land and other factors. A series of Statutory Acts were passed by the Government to ameliorate the condition of the tenants. Provision was made under section 112 of the Bihar Tenancy Amendment Act for a general reduction of the rents. The new provision of the Bihar Tenancy Amendment Act, 1937 and 1938, Restoration of Bakasht Lands and Reduction of Arrears of Rents Act, 1938, and the Champaran Agrarian (Amendment) Act, 1938, were some of the other provisions made. The *raiya*s took advantage of these Acts. There was also some agitation against the imposition of grazing fees by the Ramnagar Raj on the Tharus of Ramnagar, Shikarpur and Bagaha police-stations. The Rent Reduction Operations started from 1938 continued till 1941 when they

were stopped due to rise in price owing to the outbreak of the Second World War. The proceedings for commutation from produce rent into cash rents were not considerable as the area held on produce rent was comparatively small in the district.

The Champaran Agrarian (Amendment) Act of 1938 like the Chotanagpur Tenancy (Amendment) Act of 1938 was passed with a view to meet the special needs in the matter of tenancy legislation for local areas. The Congress Ministry was conscious of the iniquitous enhancements commonly known as the "indigo enhancements". As a result of a wide agitation headed by Mahatma Gandhi the Champaran Agrarian Act was passed in 1918. Though the Act made substantial reductions in the enhancements but even those reduced enhancements were found to be heavy and extremely unpopular. Therefore, the Congress Government enacted a new legislation to cancel all the indigo enhancements.

The *khas*-held lands of the zamindars were known as *Bakasht* and formed a large proportion of the best lands in the district. They used to settle portion of this *Bakasht* land arbitrarily with tenants on year to year basis but did not grant rent receipts for the same to prevent accrual of occupancy rights to them. This system led to frequent tensions and the matter between the landlords and the tenants often came to the criminal courts. The proceedings under section 145, Criminal Procedure Code, usually took a long time to decide possession. This used to be followed by title suits. For speedy disposal and giving opportunities to the tenants to nominate members to the Arbitration Board and thus give better opportunities to place the evidence, the Bihar *Bakasht* Disputes Settlement Act was passed. This gave considerable relief. According to the Act when the Collector was satisfied on enquiry that there was dispute between landlord and tenant over *bakasht* lands and there was likelihood of a breach of peace, he had to refer the dispute to Arbitration Board, the Chairman of which was to be appointed by the Collector and members to be nominated by the parties if they liked.

The problems relating to the land revenue system had engaged the attention of the Government and the public men in Bengal and Bihar where the Permanent Settlement of 1793 prevailed. Towards the end of 1938 the Government of Bengal had appointed a Land Revenue Commission to examine generally the various aspects of the existing land revenue system with special reference to the Permanent Settlement. The Commission pointed out that in order to improve the economic conditions of the cultivators the Permanent Settlement and the zamindari system should be replaced by the *raiayatwari* system so that the cultivators should be brought into direct relationship with the Government.

With the formation of the second Congress Ministry in 1946 the question was actively taken up. The Bihar Legislative Assembly

had adopted a resolution, "That this Assembly recommends to Government that immediate steps be taken for the abolition of the zamindari system".* In order to bring direct relationship between the tiller of soil and the Government, two Bills, viz., the Bihar State Management of Estates Bill, 1947 and the Bihar State Acquisition of Zamindaries Bill, 1947 were brought before the Legislature. Two years later the Bihar State Management of Estates and Tenures Act, 1949 (Bihar Act XXI of 1949), was passed. The validity of some of these Acts was challenged in court. The Abolition of Zamindaris Act, 1948, received the assent of the Governor-General on the 6th July, 1949. The validity of this Act was challenged and while the petitions were pending in the High Court the State Act was repealed by the Bihar Legislature and another measure called the Bihar Land Reforms Act, 1949 was introduced in the month of December, 1949. The Bihar Land Reforms Act, 1950 was passed on the 25th September, 1950. The Bihar Land Reforms Act was challenged by some of the landlords of the State. Parts of this Act were declared *ultra vires* by the Patna High Court. The Constitution was amended by the Constitution 182 Amendment Act, 1952. Even after the amendment of the Constitution, the Act was challenged to be *ultra vires* but the Supreme Court declared the Act to be *intra vires* except for some minor sections. In pursuance of Government's decision to take over the big estates and tenures having a gross annual income exceeding Rs. 50,000, the Ram Nagar Estate, Madhuban Estate and the Parsa Concern, Ltd., were notified.† Subsequently the State Government decided to take over all the zamindaris under the provision of section 3 (b) of the Bihar Land Reforms Act, 1950 and so all the estates and tenures of Champaran were vested in the State (including the Bettiah Court of Wards Estate) with effect from the 26th January, 1955.

PRESENT SYSTEM OF SURVEY, ASSESSMENT AND COLLECTION OF LAND REVENUE.

The Tauzi Manual which dealt with the Zamindari revenue and cess is now hardly applicable in the vested estates and tenures. Prior to the vesting, as a general rule, the revenue of the estate was payable at the treasury of the district and the landlords were primarily responsible for *kistwary* payment of the land revenue in the treasury, but since the abolition of the zamindari, a separate department of the Government has been opened as Land Reforms Department. The Additional Collector of the district, subject to the supervision and control of the Collector, is directly in charge of this Department. Further one Deputy Collector is posted at each subdivisional headquarters, known as Land Reforms Deputy Collector. Each subdivision is divided into a number of Anchals or Blocks, with

* *District Gazetteer of Gaya*, published in 1957, p. 300.

† Compendium of Government Orders and Circulars of Land Reforms and allied matters (Revenue Department).

8 to 12 *halkas* each and each *halka* with 5 to 10 villages. There are 2,853 villages in the district and they have been grouped into 360 *halkas* and all these *halkas* into 36 *anchals*.

It was proposed to place one Gazetted Officer of the rank of the Sub-Deputy Collector as Circle Officer in each *anchal* for the land revenue administration. Due to paucity of officers, however, it has not been possible to post one officer in charge of each *anchal* and some of the officers are in charge of two *anchals* at present but it is hoped that ultimately each *anchal* will have one Gazetted Officer. A Circle Inspector is also posted in each *anchal* to assist the Circle Officer. There is a *karamchari* in charge of each *halka* for collection of rent and agricultural statistics and other allied work. Rent collection work has also been entrusted to some of the Gram Panchayats.

The present land policy of the State is governed by the different Acts and rules enforced at present such as Bihar Land Reforms Act, 1950, the Bihar Government Estates Manual of 1953, the Bihar Tenancy Act, 1885, the Transfer of Property Act, the Survey and Settlement Manual, etc.

ASSESSMENT AND COLLECTION IN FORCE.

After vesting of the estates into Government, the question of assessment of rent has been taken up by the Government for such homestead lands used for agricultural or horticultural purposes which were in *khas* possession of the ex-landlords on the date of vesting or such buildings or structures together with the lands on which they stand, other than those primarily used for, as office or *kutchery* by the ex-landlords. Besides these the assessment is made in the following cases :—

- (i) in cases of *Gairmajurua Malik* land, land purchased in certificate cases, *Brit* land, *Belagan* land;
- (ii) in cases of land recorded as *Bhaoli Batai* the kind rent is being commuted as cash rent;
- (iii) the procedure for fixation of rent is adopted as laid down in section 9(2) of the Government Estates Manual, 1953, that is, the rental is assessed at the rate applicable to lands of similar quality and its similar advantage in the vicinity. The power of assessment is delegated to the Collector under Land Reforms Act.

So far collection is concerned, the procedure has been laid down in the booklet "Rules providing for verification of collection, assessment of cesses, etc., in respect of vested estates and tenures". The current (1958) total collectable *jama* of rent cess and *sairat* interests is Rs. 45,80,100 (forty-five lakhs eighty thousand and one hundred). The amount of the rental demand alone is Rs. 36,47,000. There had been regular drought since the last three years before the year 1958 and there were at the same time ravages of floods. However, the

collection figure ranged between 75 per cent to 80 per cent. In brief, the procedure of collection is that the *karamcharis* collect rent from the tenants and against that they issue rent receipts to the tenants. The *karamchari* fills in the figures of the receipt in the connected registers with the help of the duplicate copy of the receipt with himself. When the money in hand of the *karamcharis* accumulates but not beyond Rs. 1,500 they deposit the amount with the Anchal Nazir who is posted at the Anchal Office. The Nazir in his turn deposits the money into Treasury or Sub-Treasury, as the case may be, and maintains a cash book, to be checked and signed daily by the Anchal Adhikaris concerned. Thus the ultimate responsibility of collection and remittance comes to the Anchal Adhikari. So far as the '*sairati*' interests are concerned they are settled on annual basis after bid, except in cases of fisheries, which are settled with Fishermen's Co-operative Societies on average *jama* of three years without bid. After the bid is completed, the entire bid money is realised at the spot and remitted to the Treasury.

Income from Land Revenue.

Generally the collectable *jama* is as follows :—

	Rs.
Rent	36,46,981
Cess	2,74,872
Miscellaneous	6,58,247

Besides the total revenue of a general nature the detailed figures as noted below for some years past will be of great interest.

Table showing Demand, Collection, etc., in respect of the estates vested in the Government under the Land Reforms Act, 1950, in the district of Champaran for the years :—

Years.	Nature of demand.	Demand.			Collection*.			Percent- age of total collection on total demand.
		Arrears.	Current.	Total.	Arrears.	Current.	Total.	
1	2	3	4	5	6	7	8	9
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1953-54	Rent ..	2,73,992	4,58,188	7,32,180	1,41,616	2,47,850	4,24,770	58.01
	Cess ..	13,557	26,330	39,887	6,280	15,648	24,178	60.61
	Miscellaneous	39,343	74,913	1,14,256	12,907	51,554	67,519	59.09
	Total ..	3,26,892	5,59,431	8,86,323	1,60,803	3,15,052	5,16,467	58.27
1954-55	Total ..	4,14,155	9,55,512	13,69,967	1,86,386	3,97,963	9,03,999	65.98
1955-56	Total ..	10,08,793	44,04,720	54,13,513	6,44,549	36,96,956	47,27,916	73.00
1956-57	Total ..	16,01,245	45,06,669	61,07,914	8,15,872	36,11,878	49,28,382	..

*The difference in the total collection figures is due to advance collection being made not for the year current, but for the coming year.

By the year 1955, the estates, one to all, were vested in the Government, which explains the marked difference of the figures for the year 1955-56, as against those of previous years. Detailed figures for the year 1955-56 are given below to have an idea of the expanded items of revenue :—

Table showing Collection and Demand Figures.

Year.	Nature. of demand.	Demand.			Collection.			Percent- age of total collec- tion on total demand.
		Arrears.	Current.	Total.	Arrears.	Current.	Total.	
1	2	3	4	5	6	7	8	9
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	
1955-56	Rent ..	8,04,150	35,72,375	43,76,525	5,64,582	28,06,810	34,98,315	72
	Cess ..	1,22,227	2,67,619	3,89,846	44,031	2,05,566	2,57,915	66
	Miscellaneous	82,416	5,64,726	6,47,142	45,936	6,84,580	9,71,666	83

LAND REFORMS.

Agrarian Movement.

Although referred to in other chapters a recital of the salient features of the agrarian movement since the beginning of this century may be briefly reiterated.

The major portion of the district was owned by the big zamindars and the European indigo planters and none of them had good relations with the tenants.

From 1900 to 1905 the strained relations between the landlords and the tenants continued. In 1905-06 the Bihar Planters' Association expressed disapproval of the action of one of the large indigo concerns in taking from the *raiya*s a levy called *hunda* as compensation or damages for not cultivating indigo, and the manager agreed to discontinue the levy. In 1906-07 the Collector discussing the continuance of the *abwab* system writes :—

“ Long custom, traditional homage to landlords and a desire to live in amity with them, explain the acquiescence of the tenants in these demands.”

From 1907-08 the relation between landlords and tenants became acute. Mr. Bloomfield, Manager of the Telpara factory was murdered. The reduction of opium cultivation occasioned considerable loss to the *raiya*s. The indigo oppressions made them feel frustrated and

at times desperate. Agrarian troubles at the Sathi area (1907-08) caused widespread discontent among the peasants. The kernel of this disturbance, as of all the subsequent agitation, was the *tinkathia* system. The upshot of the Sathi disturbance was an agreement, "that such *raiya*s as did not wish to grow indigo or oats on the *tinkathia* system, should pay for their irrigation from the *pains* at the rate of Rs. 3* for every bigha of their holdings, and should execute agreements to this effect". The registration of these *pains* as improvements was in progress, when the more serious agrarian disturbance of 1908-09 broke out, and temporarily put a stop to the work. When the conditions were settled again, the *raiya*s quietly executed agreements or *sattas*. Details of these troubles have been covered elsewhere.

The Bettiah disturbance, 1908-09.—The general spirit of uneasiness owing to the *tinkathia* system so acute in the Bettiah subdivision broke out in the area of Parsa factory and spread to the Mallahia, Bairia and Kuria areas. The outbreak was ruthlessly suppressed by the military force and the disturbances were quelled in November, 1908. Mr. Gourlay, the Director of Agriculture and once Subdivisional Officer of Bettiah was deputed by the Government to hold an enquiry. As stated before a report was submitted in April, 1909 and after informal discussion between Government and members of the Planters' Association, major changes were made in the existing system. Although a superficial quiet followed, the feeling against the existing system continued unabated and the recusant element gained confidence from the immunity enjoyed by the agitators in general, the acquittal of the persons convicted in connection with the Sathi disturbances of 1907-08, and particularly the modifications by the High Court of the death sentence passed by the Sessions Judge on the murder of Mr. Bloomfield. In December, 1911 a large number of *raiya*s assembled at Narkatiaganj railway station to mention their grievances to His Majesty the King-Emperor, who was then on his way back from Nepal, and in January, 1912 they sent representatives to submit a memorial in Calcutta.

The historic events that followed were the visit of Mahatma Gandhi to investigate into the grievances of the indigo cultivators in connection with *tinkathia*, *sarabeshi* and *tawan* systems, the institution of a Committee of Enquiry and the passing of the Champaran Agrarian Act, 1918 removing many of the inequities.

The subsequent historic events were the Non-co-operation Movement and the Civil Disobedience Movement. They have been discussed previously. The age-long agrarian disputes between the landlords and the *raiya*s came to an end with the passing of the

* In the *tinkathia* land the *raiya*s were given water from the factory *pains* at the rate of 1½ annas per *bigha* of their holdings only for the upkeep and extension of the *pains*.

Bihar Land Reforms Act, 1950. The present set-up to realise rentals, etc., has been described elsewhere.

With the abolition of the zamindaris Government stepped into the shoes of the ex-landlords, so it is now a question of relation between the Government and the tenant. While all efforts are being made to maintain cordial relation with the tenants, reports are sometimes received that the *karamcharis* who are in direct touch with the people are not always helpful to them. Prompt measures are taken to stop malpractices and harassments meted to tenants.

Settlement of Lands with the Landless.

The insertion of a new section, viz., section 48-E in the Bihar Tenancy Act is made with the sole purpose of providing for restoration of lands to under-*rai*yats unlawfully evicted. Emphasis has recently been given to settle vacant lands with the members of the Scheduled Castes, Scheduled Tribes and Backward Classes. Such lands have been settled with the members of those mentioned classes in Champaran up to the tune of 1,031 acres with 1,028 families (up to March, 1959).

Compensation.—Section 32 of the Bihar Land Reforms Act provides for payment of compensation to the ex-intermediaries. As it was not possible to pay compensation within a short period, provision was also made for making *ad interim* payment under section 33 of the Act. According to this provision, the ex-intermediaries are to receive six-monthly payments at the rate of three per cent per annum of the approximate amount of compensation payable when such amount does not exceed Rs. 50,000 and the rate of two and half per cent (subject to the maximum of Rs. 62,000) per annum when the approximate amount exceeds Rs. 50,000.

Since the vesting of estates and tenures 9,064 intermediaries (up to 15th July, 1959) filed the required applications for compensation. The total sum paid as *ad interim* compensation amounts to Rs. 10,38,428 Np. 65 with 8,453 intermediaries.

Bhoodan Movement.

Including the dependants there are about 4.5 million landless labourers in the country. Champaran district is no exception. The consolidated farms in the hand of the European planters and the zamindars encouraged the multiplication of landless labourers. It was widely realised that the abolition of intermediary rights while conferring certain rights and privileges on the cultivating tenants would not benefit the landless labourers. Vinoba Bhave, a disciple of Gandhiji sponsored the Land Gift Movement (Bhoodan Yagna). This started from Telingana (Hyderabad). It is a purely voluntary movement where an appeal is made to the nobler instincts of land owners to donate land which would ultimately be distributed to the

landless. Acharya Vinoba Bhave has his own band of workers and one of them is Sri Jay Prakash Narain of the neighbouring district of Saran.

The Bhoodan Movement has received a support from some of the political parties and the State Government of Bihar. Legislative measures have been taken and executive instructions issued by the State Government for the proper allotment and management of the donated lands.

Bhoodan Movement was sponsored in Champaran district in July, 1954 when a Bhoodan work office was established at Motihari. The table below indicates the progress of the movement :—

Statement with figures covering up to February, 1959.

No. of donors.	Land acquired so far.				Land distributed.	
	No. of <i>danpatras</i> received.	No. of <i>danpatras</i> verified and registered.	Land in—		Acres. Decimal.	
			Acres.	Decimal.		
1	2	3	4	5	6	7
3,599	7,505	3,445	3,536	15½	2,550	33¼

Although the figures in the table do not show a large progress of the movement, yet it is getting momentum. As against only 1,599 *danpatras* received till the year 1957, their number as shown in the table is suggestive. Moreover the attention of the Government has also been drawn to the necessity of assistance in cash to the landless labourers receiving land for cultivation so that they may have some capital to start cultivation. The Harijan Welfare Department of the district has arranged for assistance to the tune of Rs. 22,227 till now (February, 1959), for the Harijan and Scheduled Class people receiving land from the Bhoodan fund.

Implementation of the Bihar Land Reforms Act.

The implementation of the provisions of the Bihar Land Reforms Act involved a lot of difficulties at the initial stage for the local administration. The collection by the Collector at the beginning has been somewhat poor due to various reasons. The ex-landlords had in most cases realised rents for the period subsequent to the date of the vesting of their estates in Government. Tenants also had readily paid rents to their outgoing landlords as the latter had allowed a handsome remission. Out of the Government share of rent it was found that the outgoing landlords had realised a good percentage from the tenants. The Land Reforms Section had to take necessary steps for the realisation of this amount from the

outgoing landlords. The ex-landlords also did not file the village papers of all the villages and the tenants too were not agreeable to produce rent receipts as a result of which the collection work was very much handicapped.

The fact that there has been no recent Survey and Settlement Operations was an impediment. The Land Reforms Section in the Collectorate had immediately to take up field *bujharat* for the purpose of bringing up-to-date the records-of-rights. The Tauzi and Cess Departments were converted into Rent and Cess Departments. The Land Reforms Section of the district was further entrusted with the agricultural statistics, execution of minor irrigation and improvement schemes, local development work, besides collection of rent and cess, etc. For the sake of revenue administration the district is divided into 27 *anchals** under an officer of the gazetted rank.

The implementation of the Bihar Land Reforms Act in abolishing the zamindaris has not had a sufficient experiment to make a correct appraisal of the impact on the economic condition of the people. We are far too close to the great experiment which has been taken up with the sole idea of bringing more relief to the tenantry. At the initial stage there are bound to be a certain amount of opposition, possible mistakes owing to the inexperience of the staff and the possibility of some corruption at the lower level particularly cannot be eschewed. But there cannot be two opinions regarding the broadbased policy which has brought in land reforms.

One of the criticisms of the land reforms has been the delay in paying the compensation to the ex-landlords. The delay is because of the necessity of a *bujharat* of the papers and this is partially due to the non-co-operating attitude of the landlords in not making over a complete set of papers of their *kutchery*. There have also been certain unfortunate changes in the set-up for the working of the Land Reforms Act. At first it was decided that estates with an income of Rs. 50,000 and above should be taken over. Work had started according to this set-up. But subsequently all the zamindaris have been taken over and naturally there has been an additional strain due to the change in the set-up. The collection of rent and cess has been taken up in the vested estates through *karamcharis* and *sarais* had been settled with the highest bidders by public auction. The *kutcheries* and *tahsil* offices of the vested estates have also been taken over. Educational institutions, hospitals and dispensaries hitherto run by landlords are now being maintained by the Government out of Improvement Grant. The payment of compensation is being expedited now.

The Land Reforms Act is the fore-runner of other reforms which are on the anvil in connection with the problem of land

* The Government have sanctioned 36 *anchals* but only 27 *anchals* have been put into operation up to July, 1959.

distribution, regulation of rent, co-operative farming, etc. After the complete abolition of intermediaries, it will naturally be necessary to enact tenancy reforms in order to give full security of tenure to the tenants and to stop the various types of evictions and evictments which may have been perpetrated by the ex-landlords. Some statutory measures as stated before have been taken to stop such evictions. Personal cultivation has also to be regulated. At present, there is no limit to the extent of lands that can be held for personal cultivation although it is not physically possible for him to look after it. A ceiling on agricultural holdings is likely to be fixed sometime or other as a necessary corollary to the land reforms movement. The First Five-Year Plan had laid down that the rate of rent exceeding one-fourth or one-fifth of the produce should be regarded as requiring special justification. The movement of co-operative farming has to be popularised.

It has been correctly held that merely enacting progressive land reforms will not be enough and that there should be a proper and efficient administration for implementing the land laws so that difficulties and harassment to those who are the beneficiaries are reduced to the minimum. There has to be a clean and honest administration particularly at the village level as otherwise, much of the value of progressive land reforms will be lost. The Second Five-Year Plan has also laid down suggestions regarding the future of the land reforms.