CHAPTER XIV.

LAND REVENUE ADMINISTRATION.

EARLY HISTORY.

An account of the Land Revenue Administration of Muzaffarpur district prior to 1875, when it was separated from Darbhanga, must necessarily be a sketch of the early land revenue history of Tirhut (including Hajipur), owing to the difficulty of obtaining separate figures for the present district. The first assessment of land revenue in Tirhut, of which there is definite mention in history, was made in 1582 by Todar Mal, the great Finance Minister of Akbar. The result of the assessment was that an area of 81,737 acres in *Sarkars* Tirhut and Hajipur was settled at a revenue of Rs. 11,63,020, which gives an incidence of about Re. 1-7-0 per acre. During the period which elapsed between this assessment and the grant of the *Diwani* in 1765 to the English East India Company, there were two assessments of which we possess statistical information, namely, one made in Aurangzeb's reign in 1685 and the other in 1750 during the Viceroyalty of Alivardi Khan. The result of the first was to increase the revenue to Rs. 17,98,576, i.e., by about 55 per cent and that of the second was to lower it to Rs. 16,48,142. No records can, however, be found of the exact areas dealt with, or what was cultivated at the time the assessments were made. But it is clearly mentioned in a *farman* of Aurangzeb, issued in the thirteenth year of his reign, that *Sarkars* Tirhut and Hajipur then included 102 and 11 *mahals* respectively. We can form an idea of Mughal revenue administration from the *farman*, which confers the office of Kanungo for the whole of *Subah* Bihar on three persons. They were to collect the revenue of the whole *subah* and were to receive 8 annas per hundred rupees as remuneration, besides *dastur* and *nankar*. It is interesting to note that these revenue officers were to transmit yearly genealogical lists of families with accounts of the former and present state of the augmentations and decrease of population(1). They were to exert themselves to the utmost for the welfare of the inhabitants and not to "attempt a single oppressive measure against them". A subsequent *farman* issued in the twenty-fifth year of Shah Alam's reign, i.e., in 1783-84, confirms the descendants of the three persons in the office of Kanungo for the whole of Bihar on more or less the same terms(2).

By the *Diwani* grant of 1765 the right of collecting revenue in Bengal, Bihar and Orissa was transferred to the English Company; but actual collection continued to be in the hands of the Nawab's officers. The Company appointed Raja Sitab Roy to supervise the collections in Bihar. This dual control resulted in much anomaly and oppression. The appointment in 1769 of European supervisors to prevent extortion and speculation only made "confusion worse confounded". In 1770 a Revenue Council of Control was established at Patna, and next year the Court of Directors sent out their well known order "to stand forth as *Diwan* and by the agency of the Company's servants to take upon themselves the entire care and management of the revenues". Accordingly a European Collector was appointed in Tirhut for the first time in 1771. But this assumption of direct management having proved a financial failure, the European agency was replaced by Indian *amils* under the control of a Provincial Council at Patna. The five-yearly settlement effected in 1772 having also failed to give satisfaction, annual settlements were made from 1778 to 1780, and these settlements with farmers and zamindars being equally unsuccessful, Tirhut was again placed under a European Collector in 1782.

Early Collectors of Tirhut.

The careers of the early Collectors of Tirhut are somewhat important as illustrating the character of administration in those days of the Company's rule in this country. Francois Grand, a native of Lausanne, having first served in the East India Company's forces, and then as a writer and a commercial agent, was appointed Collector of Tirhut in 1782. Away from the headquarters of the presidency, Grand could unscrupulously engage in private trade. He was practically the founder of the European indigo industry in Tirhut. In his report of 1785 he says: "I took possession of a country (Tirhut and Hajipur) yielding a revenue of about 7 lakhs of rupees, but which had suffered from the depredations committed by those who were compelled to abandon the charge to me .... I recovered a large balance due from the farmers to Government, quieted and appeased without bloodshed every disturbance, brought back the disobedient to a just sense of their errors, augmented the revenue, introduced the manufacturing of indigo, encouraged the establishment of indigo works and plantations, erected three at my own expense, and thus possessed a fortune of £ 15,000 sterling." In 1787 Lord Cornwallis, hearing of his commercial enterprises, removed him from the collectorship of Tirhut and nominated Robert Bathurst as his successor. But Bathurst proved little better than Grand. Shortly after his appointment, and inspite of positive orders to the contrary, he began to dabble in the indigo business on his private account.(3) For some years he carried on a joint business with an indigo planter, until there were loud complaints against his conduct from some planters, whose displeasure he had managed to incur and was transferred from his station. He too must have acquired a considerable fortune like his predecessor.

From 1781 *to* 1789.

The history of revenue administration from 1781 onwards is marked by yearly settlements with zamindars, or, if they were recusant, with farmers of revenue. The correspondence of the period is full of the difficulties the Collector had to meet with both in settling and realizing the revenue. Himself ignorant of the capabilities of the soil, his subordinates were a hindrance rather than a help and the enormous number of petty proprietors, for which the district was even then notorious, made a fair settlement a very difficult task. Imperfect as was the assessment, the difficulties of collecting it were aggravated by the lawless state of the country, which was infested by bands of robbers, and by frequent natural calamities. Often the zamindars themselves and the Indian *amils* were in collusion with the robbers. In 1783 the Calcutta Board of Revenue deputed Mr. (afterwards Sir) John Shore to Patna for effecting a new settlement of the province of Bihar and for directing such measures as he should think proper for realizing the "heavy and unusual balance which has fallen in the collections."(4) The Collector of Tirhut was accordingly asked to prepare immediately, a *jamma wasul baky*(5) of the *mahals* of his district. A regulation passed on the 12th August of that year authorized the Committee of the Revenue Chiefs and the Collectors to punish such zamindars or landholders, who were proved to have resisted any written process directed to them, even by confiscating their lands.(6) But the settlement made in accordance with the spirit of this regulation does not seem to have yielded very satisfactory results. The abolition in April, 1786, of the office of Indian Dewan, who had been joined with the Collector "in the superintendency of the revenue", left to the Collector the "sole charge and full responsibility of the revenues" in the district; but this too did not improve matters much.

DECENNIAL AND PERMANENT SETTLEMENTS.

In May, 1789, the Governor-General in Council resolved to carry out the Court of Directors' orders for a new settlement of Bihar for a period of ten years, which if approved by the Court, would become permanent without any further changes or modification. The *jamma*, which each zamindar was to pay, was to be fixed by the Collector on fair and equitable principles subject to the approval of the Revenue Board, and the *Sadar kistbundi* was to be so regulated as to afford the zamindars "all possible convenience in the discharge of their rents with due regard to the security of Government."(7) It was expressly stated in the resolutions of the Governor-General in Council that the settlement was to be made with the actual proprietors of the soil, whether zamindars, *chaudhuries* or independent *talukdars*, and that in no case were *sayer* collections to be included in the new settlement. Although systematic attempts were made to acquire information on the capabilities of the soil and other matters of rural economy, the methods of enquiry were not sufficiently detailed to afford an adequate basis for a settlement in perpetuity. Indeed the decennial settlement was concluded more hastily than steadily, with the result that when the Permanent Settlement was effected in 1793, no less than 60 per cent of the total area of Tirhut, that is, an area of about 3,900 square miles, escaped assessment. The total land revenue fixed was Rs. 9,83,642, which gives an incidence of 9 annas an acre; of this about Rs. 4,36,000 represented the demand of the present district of Muzaffarpur. One good thing, however, which resulted from the Permanent Settlement was that, unlike in Bengal, it served in Tirhut to rescue the real zamindars from the farmers of revenue, who had been placed over them and to restore proprietary rights to those who were about to lose them.

On the other hand, incalculable injury was done to the *raiyats* by the absence of any accompanying measures for their protection and by the harsh provisions of Regulation VII of 1799, which extended to the landlords of Tirhut, as well as of the rest of the province, the power to distrain the crops of their *raiyats* and in certain cases to arrest their persons for arrears of rent without any reference to the courts. The country suffered until recent decades from the failure of earlier administrators to gauge adequately the extent of the oppression practised by the landlords of Tirhut upon their unfortunate tenantry.

Nineteenth Century Revenue History.

The principal features in the 19th century revenue history of Tirhut are the resumption of revenue-free grants by lapse on the death of the tenure-holders or on the ground of invalidity, the revenue survey of 1843—49, the enormous increase in the number of estates, and the settlement operations of 1892—99. During the earlier part of the century, moreover, temporary settlements with farmers of revenue, chiefly on account of the persistent recusancy of the proprietors to come to terms with the revenue officers, were very common. No less notorious was the *khas* management of estates temporarily resumed. The Commissioner of Saran wrote to the Collector of Tirhut in 1833, commenting on the "continued injustice sustained by the landlords by the present extensive system of *khas* management or temporary engagement with *maliks* or farmers ".(8) The progress of the Permanent Settlement in Tirhut and the adjoining district of Saran was indeed very slow and the Revenue Board, as the Special Deputy Collector of Tirhut observed in 1833, were "deeply sensible of the injustice and breach of public faith involved in the extreme delay" that had taken place in bestowing the benefits of a permanent settlement upon those proprietors who were "unquestionably entitled to that immunity under the law of 1793."(9).

Free land grants in the shape of *brahmottar*(10) and *devottar*(11), or of *jagirs*, were exceptionally abundant in Tirhut and in most cases dated from Mughal times. The validity of the claims to these were examined between 1830 and 1850 and active operations were undertaken for the resumption of those revenue-free grants which proved invalid. In this way, altogether 10,66,000 acres were resumed and the revenue was increased by Rs. 6,77,387. Muzaffarpur's share was 44 per cent of the area resumed (4,37,226 acres) and 47 per cent (Rs. 3,18,366) of the new assessment. It cannot be vouchsafed that in extending the hand of resumption justice was in all cases done by the over-zealous revenue officers.(12) However, as a result of the resumption proceedings 3,018 new estates were assessed and in 1850 the number of estates borne on the revenue roll of Tirhut was 5,186.

PARTITION OF ESTATES.

From the middle of the 19th century the partition of estates went on at a remarkable pace. In 1895 the number of estates on the revenue roll of Tirhut was as high as 32,000. It is true that resumption helped to swell their number before 1850; but, apart from this, the law of partition was responsible for the addition of over 27,500 estates to the revenue roll of 1790 and the number of estates increased twenty-fold owing to partitions alone. Muzaffarpur, being always a land of petty zamindars, accounted for a very large proportion of the increase. From 1875 to 1881 alone the addition to the number of estates in the district was 4,046 and by 1895 there were no less than 19,420 revenue-paying estates. The subdivision of estates after 1895 went on with equal rapidity, and in 1904-05 the number of revenue-paying estates (in Muzaffarpur) had risen to 21,050, a number larger than in any other district of Bengal except Chittagong.

RATE OF REVENUE.

The rate of revenue at the beginning of the present century was only 9 annas to 11 annas per acre and the average rate of rent on the other hand was Rs. 3-14-8, or more than six times the rate of revenue. The allowance fixed for zamindars at the time of the Permanent Settlement was one-tenth of the assets, but their profits increased very nearly six-fold in one hundred and ten years. A vast amount of this increase arose from extension of cultivation in the first half of the last century; in the second half, however, it was largely due to the enhancement of rent. The total land revenue demand in 1904-05 was Rs. 9,78,596 payable by 21,050 estates, of which all but 49 with a demand of Rs. 16,735 were permanently settled; besides these, there was one Government estate with a demand of Rs. 1,583.

REVENUE SURVEYS.

The first great revenue survey carried out during the British period in Tirhut was that of 1843—49. This survey resulted in the discovery of land still remaining unassessed; but its chief importance was that it put a stop to the disputes about village boundaries, which had been a fruitful source of litigation and a great administrative difficulty. In Tirhut this survey began in 1846 and was completed in 1849. It showed the area of the district to be 6,114 square miles with 7,586 villages, the land revenue being Rs. 14,62,548 or just under six annas an acre. This was followed by the survey of the *diara* tracts along the Ganga and the Gandak between 1865 and 1868, which added 46 new estates to the revenue roll. In 1882 experimental settlement operations were begun, Muzaffarpur being selected for the experiment, because it was regarded as one of the least prosperous districts in Bihar and the relations of the people to the land as the least satisfactory. The settlement was carried out successfully in 235 villages and was terminated in 1886. In 1892 a survey and the preparation of a record-of-rights were begun in this district and were brought to a successful conclusion in 1899. These operations were first undertaken in Bengal for entire districts which came under the Permanent Settlement. The survey showed the area of the district to be 3,035 square miles, with 4,505 villages. Holdings were found to the number of 9,70,495 with an average size of 1.97 acres and 44,13,567 plots were measured with an average size of 0.44 of an acre.

Private Land of Proprietors.

The private land of proprietors was found to be 67,729 acres, or nearly 4 per cent, of the area in agricultural occupancy, the average size of the holdings being 1.63 acres and the land so held being greatest in the thanas where competition for land was keenest. Besides this, the land held by them in direct cultivation, but not true *zirat* covered 1,95,910 acres or 11.5 per cent, of the settled agricultural area, the average size of the holdings being 4.34 acres. At the beginning the present occupied area and the average size of the holding was 3.04 acres. The tenure-holders absorbed 3.7 per cent with holdings averaging 6.65 acres. This was the largest average holding under any status and was due to the extensive areas held in direct possession by European planters for the cultivation of indigo. Rent-free *raiyats*, on the other hand, with 2.2 per cent had holdings averaging 1 acre only, the smallest average in the district.

Different Classes of Raiyats.

Raiyats at fixed rates occupied 2.2 per cent of the total occupied area with holdings averaging 2.50 acres. This was the largest average for *raiyati* holdings, but the area held by these *raiyats* was appreciable only in the Hajipur subdivision, where it was just under 5 per cent of the occupied area. Settled and occupancy *raiyats* had 82.2 per cent of the total number of holdings and occupied 12,70,474 acres, or 74.8 per cent of the occupied area. The average size of the holding was 1.64 acres but this was not the average amount of land which the *raiyat* held for the support of himself and his family. He might hold land under another status and he might also possess several holdings under one status.

The occupancy *raiyats* were an insignificant class holding only 1.6 per cent of the area and 2 per cent of the number of holdings. The percentage of land held by them was highest in the Hajipur thana, where there were many *diara* lands in their possession. Under-*raiyats* had an interest in 5.3 per cent of the holdings and held 4.1 per cent of the occupied area, the average size of the holding being 1.39 acres.

Size of Estates.

Owing to the extreme subdivision of property the size of estates diminished very considerably as years went on. In 1870 the average size of an estate in Tirhut was 303 acres; but at the end of the century the average size of an estate in Muzaffarpur was only 93 acres, that is, smaller than in any other district of Bengal, Bihar and Orissa except Balasore and Cuttack. The minuteness of proprietary interests did not end here, for innumerable subdivisions of even these petty estates were common, many of them being split up among different sets of sharers according to private partitions. It was found that there were on the average 5½ estates and 37 proprietors to a village each holding 12 acres, of which only 9 acres were cultivated. The average number of proprietors to a joint estate was 5 and to a privately partitioned estate 17 and one case was found in which a village with an area of 179 acres contained three estates which had been partitioned by their 159 proprietors into 114 sub-estates.

Transfers of proprietary interests in Muzaffarpur were, however, comparatively few, largely owing to the presence of indigo planters in the district. When a zamindar got into financial difficulties he often went to a planter for relief, knowing that the concern would gladly advance him money in order to get a lease of his estate and in this way many properties were saved from sale. The value of proprietary rights, moreover, was so high that the purchase of them was almost prohibitive. Where sales were effected, lands generally passed to landlords, and the money-lender had acquired little hold over the proprietary interests in land.

TENURES AND UNDER-TENURES.

Nearly one quarter of the district was in the occupation of tenure-holders; but there were few degrees of sub-infeudation. Under-tenures occupied only two per cent of the area, the creation of a large number of them being due to the practice of factories taking *kaikana* leases. Rent-paying tenures occupied the largest area, with 24.6 per cent of the area brought under settlement and the holders of these had interests in over one quarter of the separate proprietary interests in the district. Temporary tenures prevailed, only 2.4 per cent of the total area of the district being occupied by permanent rent-paying tenures. It is worthy of note that whereas in Muzaffarpur rent rates had risen out of all proportion, proprietors were very averse to granting *mukarari* leases and consequently demanded very high rates, which would only be paid when the need was very great, that is, when land was required for erection of factory buildings. The proportion of the total area held in temporary tenure at the close of the last century was 22 per cent and indigo planters held no less than 14 per cent. Of all the leases in the district 58.2 per cent were farming leases, 33.9 per cent were *zarpeshgi* or mortgage leases, and 7.9 per cent were of other kinds, most of them being the usufructuary mortgages called *sadhwa patwa*. *Zarpeshgi* leases were most numerous where there were factories. Rent-free tenures included *birit*,(13) *brahmottar*, *shivottar*(14), *vishnuprit*(15), *bhatottar*(16) and *fakirana*(17) as also service tenures, such as *jagirs*, *malikana* tenures and maintenance tenures, such as *nankars* and *madad-mash.*

Condition of the Tenantry.

With regard to the condition of the tenantry the remarks of Stevenson Moore, the Settlement Officer, may be quoted: "The general impression is that the tenantry of Bihar are a down-trodden body of men, in complete subservience to their landlords who evict and enhance their rents at pleasure. The impression, however, is only partially true. Like most things in India, it is largely a question of caste. I believe this impression to convey a correct idea of the condition of low caste *raiyats*, such as Dusadh, Kurmis, etc. but cultivators of higher caste, like Babhans, are usually quite prepared to fight their landlord if he attempts to oppress them." It may be accepted as a general truth that landlords in North Bihar were unusually powerful and their tenants unusually depressed; but instances may be cited in which the tenantry were truculent and combined to adopt an unreasonable and actually hostile attitude towards their landlords.

Twentieth Century Revenue History.

During the early part of the present century there was practically no change in the land revenue history of the district. The total land revenue for 1900-01 was Rs. 9,77,440. Of this amount Rs. 9,60,920 was on account of the permanently settled estates, and Rs. 15,433 was on account of the temporarily settled ones. The number of revenue-paying estates was 20,341 out of which 20,287 were permanently settled and 54 were temporarily settled. The number of estates held direct by Government in 1910-11 were 3 and that of temporarily settled estates was 55. The number of permanently settled estates in 1910-11 was 22,174 showing an increase of 1,887 over the figure for 1900-01. The increase was due chiefly to the partition of estates.

Though minor survey and settlement operations have taken place from time to time, there has not been any revision settlement for the whole district during the present century. A revision settlement was proposed about 1919, but operations had to be postponed *sine die* for unavoidable reasons. In 1942-43 temporarily settled estates numbered 27, while the number of estates held direct by Government was 22.

Before the passing of the Land Reforms Act of 1950 there were three categories of estates in the district, revenue paying, Government and revenue free. Revenue paying etsates numbered 25,575, yielding a total revenue of Rs. 9,58,539-12-3. Government estates numbered 52, yielding a revenue of Rs. 27,792-10-4. There has been some change in recent years in regard to the collection of cess; prior to 1944 one anna per rupee was the rate of collection. In that year it was raised to one and a half annas, while in 1948 the rate was further increased to two annas per rupee.

AGRARIAN LAWS.

From time to time, there have been changes in the law for the benefit of the *raiyats*. Rent in kind was oppressive to the *raiyats*. The commutation to cash rent was permissible under section 40 of the Bihar Tenancy Act. A rent commutation drive was launched by Government and a large number of Rent Commutation Officers with powers under section 40 of the Bihar Tenancy Act were appointed. The drive, however, considerably reduced the price of produce for some time. Produce rents were also commuted into cash rent by agreement between the parties. The Irrigation Act was also made elaborate and vigorously implemented. The Collectors were empowered to take up irrigation schemes for repairs and additions even without the consent of landlords in cases of emergency and advance loans to the tenants. A liberal drive was made for providing the tenants with money and they were encouraged to file loan applications under the Land Improvement Loans Act, Waste Land Reclamation Act and Agriculturists' Loans Act. The *abwas* or illegal realisations from the *raiyats* had already been abolished. In the last Survey and Settlement Operations, these *abwabs* had been scrutinised. It may be mentioned here that the subordinate *amlas* of the indigo planters and other big landlords were usually responsible for evolving a regular system of various kinds of *abwabs*. Owing to the vigilance of Revenue Officers and spread of education, the applications against the realisation of such *abwabs* have practically ceased to be filed in the last 20 years. In the reported case of Umeshchandra Mitra *versus* Baroda Das Mitra (A. I. R. 28 Calcutta 17) a number of *abwabs* were held illegal. There are a number of other interesting cases regarding *abwabs* besides this reported case.

RENT REDUCTION.

The low price of agricultural food-stuffs from 1931 onwards for several years made the cash rent rather inequitable. There was an agitation for rent reduction and ultimately provision had to be made under section 112 of the Tenancy Act for the reduction of rent. The operations started from 1938 and continued till 1941 when it stopped abruptly due to the outbreak of war which brought about a rise in the price of essential commodities. The object of the proceedings under section 112 of the Tenancy Act was to reduce the amount of rent payable by the occupancy *raiyats* of five specific classes of the holdings in certain specified areas of the province.

Rents of holdings of the following five categories were under reduction :—

(1) produce rents commuted into cash rent by courts under section 40 of the Bihar Tenancy Act during the period from the 1st January, 1915 to the 31st December, 1933;

(2) produce rent commuted into cash rent by agreement between the parties during the same period;

(3) rents enhanced by the courts on the ground of increase in prices under section 30(*b*) of the Bihar Tenancy Act during the same period;

(4) rents enhanced by contract between the parties or illegally enhanced during the period; and

(5) rents fixed for holdings created during the same period at excessively high levels, that is to say, new settlements.

The tenants as a whole were not contented with the various measures of relief made available to them through rent reduction and rent commutation proceedings, etc., and still wanted further relief. The large number of zamindars who had *bakast* lands used to get some of them cultivated by tenants on produce rent permanently or by year to year settlement but did not grant rent receipts for the same with a view to prevent acrual of occupancy rights to them and proving titles as occupancy *raiyats* through documentary evidence. The proceedings under section 145, Criminal Procedure Code usually take a long time to decide possession. 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, Bihar Bakast Dispute Settlement Act was passed. This gave a considerable relief. According to this Act when the Collector is satisfied on enquiry that there is dispute between landlord and tenant over *bakast* lands and there is likelihood of breach of peace, he refers the dispute to Arbitration Board, the Chairman of which is to be appointed by the Collector and members to be nominated by the parties if they like. To impart further relief to the tenant, the Bihar Management of Estates and Tenures Act was enacted but after sometime it was repealed. Subsequently the Bihar Land Reforms Act, 1950 was passed. After the decision of Supreme Court in May, 1952, this Act came into operation. Under the provisions of this Act, intermediary interests were notified and taken over by Government. Under the amendments of the Bihar Land Reforms Act Government notified the whole of the district of Muzaffarpur as the area and all the intermediary interests vested in the State from the 26th January, 1955. This abolished the long existing zamindari system and the *raiyats* would henceforth pay rent and cess to Government.

Land Reforms Act, 1950.

A brief note on the background for the passing of the Bihar Land Reforms Act may be given. The problems relating to the land revenue system had engaged the attention of the Government and the public men in Bihar and Bengal 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 existing land revenue system of Bengal in its various aspects, with special reference to the Permanent Settlement. After examining the question in all its aspects and recording evidence, the Commission gave its report in 1940. The serious defects in the zamindari system were pointed out and the Commission came to the conclusion that the Permanent Settlement and the zamindari system should be replaced by a *raiyatwari* system for improving the economic condition of the cultivators and that Government should be brought into direct relationship with the actual cultivators by the acquisition of all the superior interests in agricultural lands.

With the Congress Ministry in Bihar this 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". As the vital interest of the State required immediate steps to be taken for improving the agricultural production and the lot of the cultivators, the Legislature enacted various laws towards that end. As already mentioned some of such measures were the amendments to the Bihar Tenancy Act, the Chotanagpur Tenancy Act, Bakast Dispute Settlement Act, 1947, Rent Reduction Operations, etc. Two other measures were conceived with a view to establish direct relations between the State and the tiller of the soil, viz., the Bihar State Management of Estates Bill, 1947, and the Bihar State Acquisition of Zamindaris Bill, 1947. 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 Bihar 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 petitions were pending in the High Court the State Act was repealed by the Bihar Legislature and another measure called the Bihar Land Reforms Bill, 1949, was introduced in the month of December, 1949. The above Bill was passed and became later as the Bihar Land Reforms Act, 1950, on the 25th September, 1950, and was published in the *Bihar Gazette Extraordinary* of that date.

The Land Reforms Act was also 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 Amendment Act, 1952. Even after the amendment of the Constitution the Act was challenged but the Supreme Court declared the Act to be *intra vires* except for some minor sections. Government decided at first to take over the big estates and tenures having gross annual income exceeding Rs. 50,000. In pursuance of this decision of Government several estates of this status were notified. The State Government later decided to take over the entire zamindaris and intermediaries. Under the provisions of section 3(*b*) of the Bihar Land Reforms Act all the estates and all the tenures had passed to and became vested in the State with effect from the 26th January, 1955, as mentioned before.

ABOLITION OF ZAMINDARI.

The implementation of the provisions of the Land Reforms Act involved a lot of difficulties at the initial stage for the local administration. There were speculative transactions on the part of many of the landlords and the tenants for whose benefit the Act was passed were also not always responsive.

The collection by the Collector at the beginning has been somewhat poor due to various reasons. The outgoing 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 the outgoing landlords as the latter had allowed a handsome remission ranging from 4 annas to 8 annas per rupee. Out of the Government share of rent it was found that the outgoing landlords had realised a very big percentage from the tenants. The Land Reforms Section had to take necessary steps for the realisation of this amount from the outgoing landlords. The outgoing 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 Department were converted into Rent and Cess Departments. The Registration Department had to fade away. 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 each police-station is formed a revenue jurisdiction called *anchal* under an officer to be called Anchal Adhikari except in case of police-stations which are big ones consisting of two *anchals*. In each *anchal* there is a Circle Inspector under the Anchal Adhikari. Each *anchal* is divided into *halkas* and each *halka* is placed under the jurisdiction of a revenue subordinate called Karamchari. It is expected that the number of Gram Panchayat *halkas* will be near about one thousand, each *halka* comprising a Gram Panchayat. The *halka* has been formed on the basis of population roughly on a unit of 3,000 persons and an area of 5 square miles.

The implementation of the Land Reforms Act in abolishing the zamindari 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 broad-based 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 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 having an income of Rs. 50,000 and above should be taken over. Work had started according to this set up. But now 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 *sairats*(18) had been made by public auction with the highest bidders. The *kutcheries* and *tahsil* offices of vested estates have also been taken over. Educational institutions, hospitals and dispensaries, hitherto run by landlords are now being maintained by Government out of the Improvement Grant. The expenditure over such institutions is, however, for the present, limited to the amount which the outgoing landlords used to spend. Improvement works, such as desilting of tanks, repair of *kutchery* buildings, construction and repair of roads, bridges and culverts, etc., have been taken up for the benefit of the tenantry.

The Land Reforms Act is the fore-runner of other reforms which are on the anvil in connection with the problem of land distribution, regulation of rent, co-operative farming, etc. After the complete abolition of intermediaries, it will 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 ejectments which may have been done by the outgoing landlords. Some steps, as indicated before, have already been taken to meet this problem. Personal cultivation has also to be regulated. At the moment, there is no limit to the extent of lands that one can hold for personal cultivation although it is not physically possible for him to look after it. A ceiling on agricultural holdings will have to be fixed sometime or other as a necessary corollary to the land reforms movement. The First Five-Year Plan drawn up by India Government 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 not yet been taken up. The Bhoodan Movement sponsored by Acharya Vinoba Bhave has taken up the question of distributing land to the landless labourers. Although no spectacular results have been obtained for *bhoodan* in Muzaffarpur district, the movement has had a sobering effect.

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 the difficulties and harassment to those who are the beneficiaries are reduced to the minimum. There has got 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 a clear picture regarding the land reforms that have yet to be introduced. The basic idea is that the Bhoodan Movement as well as Government legislation should be able to solve the complicated land problems in our country.

DEVELOPMENT WORK.

The change over of the character of the administrative set up into that of a Welfare State that has been indicated before has brought in a large number of projects to develop the resources of the district. A brief review of the work done under some of the items will be of interest. There has been a great encouragement, as mentioned before, to develop the irrigation and drainage of the district from 1950. The Land Revenue Administration Reports make out that in the year 1951-52, 132 wells, 2 tanks, 2 *bundhs*, 5 *pynes* and 5 medium irrigation schemes at a total cost of Rs. 1,53,549 were executed under Private Irrigation Works Act. In 1952-53, 11 *pynes*, 4 *bundhs* and 6 sluice gates at a total cost of Rs. 67,586 were executed. Under Private Irrigation Works Act, 216 projects were completed at a total cost of Rs. 3,79,716. In 1953-54, 33 medium irrigation works consisting of a number of *pynes*, *bundhs* and sluice gates were executed at a cost of Rs. 1,22,959. Under Private Irrigation Works Act, 189 projects were completed at a cost of Rs. 3,00,000. In 1954-55, the Department of Agriculture had completed a number of *pynes*, *bundhs*, etc., at a cost of Rs. 72,311. In this year under Private Irrigation Works Act, 187 minor schemes were completed at a cost of Rs. 2,23,003.

As has been mentioned before, this district has not got much of waste land. But there are some *chaur* lands which may be cultivated. Portions of the big *chaur* at Kurhani in Sadar Subdivision were reclaimed in 1954-55. There are some very big *chaurs* in Hajipur subdivision but any reclamation of them will involve a huge expenditure.

During the recent years, however, the relations between landlords and tenants became somewhat strained. This was due to the fact that there were amendments to the Bihar Tenancy Act in 1954-55 for the purpose of securing to *bataidars* the right of occupancy and the enforcement of the Bihar Land Reforms Act. The landlords, on the face of the Bihar Land Reforms Act, tried to obtain and hold as much as possible of their *gairmazurua malik* and *khas* and similar lands in their *khas* possession to save them from the operation of section 6 of Bihar Land Reforms Act, 1950. The lands given on *batai* or as *jagir* for personal services were attempted to be taken back under *khas* possession. All this naturally led to a certain amount of strained relationship between the landlords and the tenants. In 1952-53, a "No Rent Campaign" was lodged by the Socialist Party and others but had very little effect on the collection of rent.

REFERENCES.

(1) *Muzaffarpur Collectorate Records.*—The eleven *mahals* in Hajipur were: Hajipur, Akbarpur, Manni Ruttee, Boosary, Balagach, Bissarah, Sereissa, Imadpur, Gudhasson, Mulki and Nepore—*vide Parwannah of Abul Hosain, Royal Diwan of Bihar* (Muzaffarpur Collectorate Records).

(2) *Muzaffarpur Collectorate Records.*

(3) *Ibid.*

(4) From Revenue Committee to Collector of Tirhut, 25th September, 1783 (*Muzaffarpur Collectorate Records*).

(5) Arrears of revenue.

(6) From Revenue Committee to Collector of Tirhut, 25th September, 1783.

(7) Copy of a circular letter from Governor-General in Council to Revenue Board, 20th May, 1789 (*Muzaffarpur Collectorate Records*).

(8) Letter, dated 18th December, 1833 (*Muzaffarpur Collectorate Records*).

(9) Letter to Secretary, Revenue Department, 10th September, 1833 (*Muzaffarpur Collectorate Records*).

(10) Grants for the support of Brahmins.

(11) Grants for the support of temples and deities.

(12) From Commissioner of Bhagalpur to Collector of Tirhut, 18th April, 1838; from Sadr Board of Revenue to Commissioner of Bhagalpur, 4th September, 1838 (*Muzaffarpur Collectorate Records*).

(13) Vritti-maintenance grant.

(14) Grant for the support of the deity Shiva.

(15) Grant for securing the good-will of God Vishnu.

(16) Grant for the maintenance of *bhats*, a class of Brahmins.

(17) Grant for the maintenance of *fakir*.

(18) Settlements of trees, bamboos, etc.

[Stevenson Moore's Final Report of Survey and Settlement Operations (1901), Muzaffarpur Old Records (under publication) and "Gandhiji's First Struggle in India" by P. C. Roy Choudhury may be consulted for further investigation.]