

## CHAPTER X

### LAND REVENUE ADMINISTRATION.

- (1) History of Land Revenue Administration.
- (a) Land Revenue Assessment and Management.

#### *Hindu Period.*

The history of the revenue administration of the Darbhanga district before the Mohammadan period has faded into oblivion except that the general pattern of administration of the Hindu Kings, based on the principles laid down in Manusmriti and Kautilya's Arthshashtra, were followed. The kings used to realise one-sixth of the produce from the cultivators through the village headman. The rent was realised primarily in kind and with the growth of time several abwabs were also levied.

#### *Mohammadan period.*

During Mohammadan\* rule the district of Darbhanga formed a part of Sarkars of Hajipur and Tirhut. Within the present boundaries of the district 58 parganas were distributed over the various subdivisions and the Revenue Thanas as per Appendix "A". It is noticeable that 30 parganas extend over more than one Revenue Thana. The parganas also differ widely in their size, 10 of them being less than 5 square miles in area and the biggest being pargana Saraisa which besides occupying an area of 475 square miles in the district also extends over a considerable area in the Muzaffarpur district.

The assessment of revenue of which details are available was carried out by Todar Mal, great Finance Minister of Akbar, in year 1582. He carried an extensive survey of the cultivable area in the Sarkars by adopting a standard pole and assessed revenue in keeping with the productivity of the soil. The revenue was fixed mainly in cash but the interests of the tax payers were safeguarded by provisions that anyone who objected to the assessment of the rent of their land should be entitled to have their produce specially appraised and that anyone who objected to the commuted rent fixed should be allowed to pay his revenue in kind. The measurements during the assessment appear to have been made by Amin under the supervision of a Kanungo for each pargana and an Amalguzar (or Collector) for each Sarkar or district. As a result of this assessment an area of 817,370 acres in Sarkars of Hajipur and Tirhut was settled at the revenue of Rs. 11,63,020. The incidence of revenue per acre comes to about Re. 1-7-0 which adheres to the general rate of apportionment at Rs. 1-8-0 in the neighbouring Sarkars. It is difficult now to compute the figures of cultivable areas and assess revenue in respect of

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\*Mohammadan is also spelt as Muhammadan.

Darbhanga district owing to the changes of jurisdictions that have taken place since the time. The 42 parganas of the district for which figures have been available, returned a productive area of 1,66,072 *Daltani* Bighas equivalent to 2,04,536 acres. The revenue assessed on them was Rs. 2,31,006 giving an incidence of Re. 1-2-0 per productive acre as compared with Rs. 1-8-0 in Saran and Re. 1-6-3 in Champaran. The probable inferences are, that Darbhanga was in a more backward agricultural condition than the rest of the areas of Sarkar Tirhut and that the remote belts of the district were not fully subdued and were in the hands of perfectly independent Zamindars. Subsequent to the assessment by Todar Mal, two other assessments were made during the Mohammadan rule. One was made in 1685 which is mentioned in the previous gazetteer to have been made in the time of Emperor Shah Jahan while in the Final Report on the Survey and Settlement Operations from 1896 to 1903 of the district it is stated to have been made in the time of Aurangzeb. The other assessment was made during the Viceroyalty of Ali Vardi Khan in year 1750. The fluctuations in the revenue of Sarkars Hajipur and Tirhut as a whole and for Sarkar, Tirhut separately are given in the following table:—

Year of assessment.	Revenue assessed for	
	Sarkars Hajipur and Tirhut.	Revenue assessed for Sarkar Tirhut.
	Rs.	Rs.
1582 .. ..	11,63,020	4,79,495
1685 .. ..	17,98,576	7,69,287
1750 .. ..	16,48,142	8,20,042

The striking increase in the revenue between 1582 and 1685 was, no doubt, in large measure due to the extension of the cultivation which had occurred during a century of comparatively peaceful administration. It is also probable that the assessment of 1685 was very heavy. This later possibility is supported by the fact that Ali Vardi Khan could effect only a small increase 65 years later. Readjustment of Ali Vardi Khan's assessment was made in year 1765 by Md. Raza Khan, Subedar of Bihar. This revision shows that against a gross revenue of Rs. 8,20,042 assessed by Ali Vardi Khan for Sarkar Tirhut only Rs. 2,45,212 actually reached the Government, the rest being appropriated by *Jagirdars*, collection charges, etc. In making the revision Md. Raja Khan retained 3 whole parganas in Tirhut with revenue of Rs. 1,42,070 as his own Jagir and allowed many similar unconstitutional alienations to his dependents and subordinates.

*Early British period.*

With the grant of Diwani of the Province of Bengal to the East India Company in 1765, the revenue administration passed to the British hands. To start with, the company entrusted the collection of revenue to the Indian agencies, as the employees of the company did not possess sufficient knowledge of the indigenous revenue system, nor they had any previous experience of the management of such administration. In 1769, the Company, however, found it necessary to appoint European Supervisors to watch over the Indian subordinates in the collection of the revenue and administration of civil justice. They were also entrusted with the task of collecting information about the internal resources of the country and the history of the tracts under their charge with regard to their condition, revenue, abwabs, fertility of the soil, etc. In the year 1770, a Revenue Council was established at Patna for the purposes of managing the revenue administration of Bihar through European Supervisors and the native officials and to control their work. In the year 1772, under orders of the Court of Directors, the whole internal administration was entrusted to the European servants of the Company under the control of Board of Revenue stationed at Calcutta. The enquiries by the Supervisors as stated before showed "the whole system resolved itself on the part of the public officers into habitual extortion and injustice which produced on the cultivators natural consequences, concealment and evasion, by which the Government were defrauded of a considerable portion of its just demand". In the year 1771, therefore, the Court of Directors sent out their orders "to stand forth as Diwan and by the agencies of the Company's servant to take upon themselves the entire care and management of the Revenue". Under these orders the whole internal administration was entrusted to the European servants of the Company under the control of the Board of Revenue at Calcutta. This adoption of direct management through European officials, however, proved a financial failure and the European Agency was replaced by native Amils under the control of a Provincial Council at Patna. In the year 1772, quinquennial settlements were effected, but this also having failed to work satisfactorily, annual settlements were made for years 1778, 1779 and 1780 to the farmers and zamindars. These annual settlements were also not found to be successful and in the year 1781, an important administrative change was made. The districts were placed under the charge of the European Collectors for the first time subject to the control of a Committee of revenue in Calcutta. Mr. Francis Grant was appointed the first Collector of Tirhut in the year 1782.

The District Gazetteer of Darbhanga by L. S. S. O' Malley, I. C. S. published in 1907 records a detailed description of the conduct and living of the first Collector, who indulged in speculation and business by sponsoring indigo plantation. The Collector

was removed from his office by Lord Cornwallis on the 27th of August, 1787. Mr. Robert Bathurst who succeeded him carried out the Decennial Settlement. During the period 1781 till 1790 when the Decennial Settlement made by Mr. Bathurst was confirmed, the Collectors made annual settlement with the Zamindars and where they were found to be recusant, with farmers. The task of annual settlement and realisation of revenue was difficult for the Collector, who was ignorant of the incidence of productivity of the soil and had to deal with quite a large number of petty proprietors. The proprietors quarrelled and higgled over every detail and the subordinates also proved an impediment in fair settlement. Raja Madho Singh of Darbhanga who was the biggest proprietor in the district contumaciously refused all terms and put every obstacle in settlement of his Estates being made to the farmers, by intimidating them. Apart from the difficulties in assessment, the difficulties in collection were also aggravated by the lawless state of the country which was infested by bands of robbers, who were generally in collusion with the native *Amils* and did not hesitate to molest even the European servants of the Company. The seasons were also unfavourable and there was hardly a year without some natural calamity. This uncertain seasonal characteristic of the district has continued ever since and Darbhanga has been far too frequently even now in the grip of drought and flood necessitating relief operations on a major scale. The collectors also experienced difficulties in making realisation as the settlement holders were unwilling to make payment without extreme coercion.

After assumption of his office of Governor-General in 1786, Lord Cornwallis adopted measures to effect a more permanent settlement. Interrogatories were issued to the Collectors of the districts and other experienced officers who were required to report on the following main points:—

- (1) The amount of assessment.
- (2) The persons with whom settlements to be made.
- (3) The measures necessary for the protection of the tenants from oppression and for the prompt realisation from them of the just demands of the landlords.

Mr. Bathurst, the Collector of Tirhut in 1788 proceeded to make an assessment which was confirmed by the Board of Revenue for 10 years in 1790. This assessment was based on the *Paidawar* of the lands of each Estate including the cash and produce rental, the incomes from fishery, orchards, house rents, pasture lands, forests and such other miscellaneous sources. From this gross income was deducted the *Kharchadehi* which included the collection charges, the sums debited on the upkeep of temple, etc. and the allowance of 10 per cent on the collection for the profit of proprietor

or the value of the *Malikana* lands left to those who were deprived of their direct managements of their estates. The difference between the *Paidawar* and *Kharchadehi* was proposed to be the revenue payable as the *Muffasil Jama*. According to this assessment the revenue roll for the district of Tirhut in the year 1790 stood at Rs. 9,83,642 against the assessed area of 15,84,826 acres giving an incidence of annas 9 per acre. The increase effected by the Decennial Settlement over the revenue roll of 1787 was thus above 15 per cent. Confining our attention to the areas covered by the present district of Darbhanga the assessment was made in respect of 5,70,725 acres with a revenue of Rs. 5,47,512 giving an incidence of Re. 0-15-3 per acre. The high incidence is attributed mainly to the fact that the farmers with whom estates of Raja Madho Singh were settled, due to his default, offered higher terms than obtaining generally for the district. The assessment, although sound in principle suffered badly in accuracy as the agencies at the disposal of the Collector were entirely inadequate. Quite a large area of the district appears to have escaped assessment as only a little more than one-fourth of the total area of the district was covered in the Decennial Settlement Operation. The number of the estates formed in the district of Darbhanga was only 532 as against 17,052 in year 1951 when the vesting of the intermediary estates commenced under the Bihar Land Reforms Act, 1950.

#### *Permanent Settlement in 1793.*

In 1793, the Governor-General in Council with the sanction of the Court of the Directors declared the Decennial Settlement to be permanent. This, however, did not affect the large tract comprising the Estate of Raja Madho Singh who refused to take settlement on the terms offered by Government until the decision of his objections as to *Malikana* land or allowance for land for which he alleged himself to have been wrongfully dispossessed and it was not until 1800 that the materials for settlement were arrived at. The matter was finally reconciled in the year 1807, when Raja Madho Singh agreed to an assessment of Rs. 1,52,053. He was also allowed an annual large sum known as *Dasturat* to be paid to him because of the chunk of lands he had lost.

The effect of the permanent settlement on the revenue roll of Darbhanga district is difficult to trace because quite a large portion of the district forming greater portion of the Darbhanga Estate was not covered by the same in the year 1793 and was for the next 15 years settled on temporary leases to farmers of Raja Madho Singh's Estate on his default.

#### *The Resumption Proceedings.*

Although permanent settlement was effected in the year 1793 it did not cover quite a large area of the district, as the

invalid revenue grants were not resumed or assessed to revenue. During Mohammadan rule, the remoteness of the district from the centre of the Moghal power rendered it easy for the subordinate official of the empire to carve out for themselves *Jagirs* and *nankars*. During the Hindu period, also the granting of lands for charitable and religious purposes was also very common. A large number of Estates had thus come into existence which were not paying any public revenue. The extent to which this sapped the Government revenue will be evident only from the fact that against the final Mohammadan assessment for Sarkar Tirhut at Rs. 8,20,042 only a sum of Rs. 2,45,212 actually reached the Government in the year 1762. These *Lakhraj* lands could be classified under the following classes:—

- (1) Those granted by the Emperor ;
- (2) Those granted by his deputies ;
- (3) Those granted by subordinate officers;
- (4) Those granted by zamindars.

After elaborate enquiries a register was compiled in 1791 for the four classes of the aforesaid lands. While declaring the Decennial Settlement to be permanent in 1793, the Governor General in Council reserved the right "to 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". It was decided to recognise the first two classes of *Lakhraj* lands as valid grants if the claimant would produce a *Sanad* and was in possession. The other two classes of *Lakhraj* lands were to be recognised as valid only, if held from a date prior to 1765. In 1793, Kanungos were deputed to make further enquiries regarding the *Lakhraj* lands and the register was revised in 1802 showing in the parganas of Darbhanga 118,149 acres of revenue-free lands scattered over 1,171 villages.

Little progress, however, could be made in the resumption proceedings till the next 30 years. Regulation II of 1819 facilitated the proceedings to a certain extent by transferring them from the Civil to the Revenue Courts. But the first real advance was made by Regulation VII of 1822 which provided for the record of rights and obligations of various classes and persons possessing an interest in the lands, or in the rent produce thereof in case of all future settlements. It was not until 1833, that the difficulties were removed, when the actual measurements of the lands were made over to the professional Survey Party and the Collector and his staff were made responsible only for the framing of the record and the assessment based upon it. Special Judges were appointed to hear appeals from the decision of the Collectors. These changes produced salutary effect and from 1833 the resumption proceedings

were carried on briskly and completed near about 1850 resulting in an assessment of 5,93,845 acres and in an addition of a revenue of Rs. 3,60,596. The revenue thus added to the roll as a result of the resumption proceedings accounts for about 45 per cent of the permanently settled Revenue of the district. The average rate applied to the resumption amounted to Re. 0-9-3 per acre as compared to the average rate of just, under Re. 0-6-2 for the district.

The total revenue for the district after its creation in year 1875 was Rs. 7,89,093. At the close of the Survey and Settlement Operations in the year 1903 it was Rs. 7,88,301. There have been only slight fluctuations in the revenue demand of the district since then. In the year 1952, since when the intermediary interests began to be taken over under Bihar Land Reforms Act, 1950 it stood at Rs. 7,92,259.

#### *Revenue Survey of 1845—1849.*

The survey of the area covered by the resumption proceedings only emphasised the necessity for the complete survey of the district as a whole. The Collector, Tirhut as early as 1815 reported that many disputes, in many instances, attended with serious consequences, were arising from the fact that this district had never been measured at the time of decennial or any subsequent settlement. The district was, therefore, included in the Revenue Survey of Bengal. This Revenue Survey which was commenced in 1846 and completed in 1849 was chiefly done with a view to demarcating the boundaries of villages and Estates and collecting accurate though limited statistical information concerning them. The village maps were prepared on the scale of 4" to the mile in respect of each village as demarcated. It appears that difference between the terms "village" and "Estates" was not very well understood with the result that the number of *Chhit Frajis* was sufficiently large. Nevertheless, the Revenue Survey demarcations were considerably helpful in deciding the boundary disputes which were successfully cut down. The Revenue Survey maps also provided valuable reference in writing of the Collector's Land Administration register and to the Thanawise distribution of the villages by the Boundary Commission. Side by side of the preparation of maps, *khesra* registers were also collected. According to the Revenue Survey the area of the estate of Sarkar Tirhut was 6,114 square miles with a land revenue of Rs. 14,62,548 with an incidence of Re. 0-5-11½ per acre. The area forming the present district of Darbhanga, according to the Revenue Survey worked out to 3,330 square miles as compared to an area of 3,348 square miles of the cadastral survey of the year 1896—1903. The difference in area was attributed in the final survey and settlement of 1903 as being probably due to changes in the area of the Gangetic *diaras*. The figures of revenue demand for the areas at present comprising the

district of Darbhanga are not available, but approximately it amounted to six and three quarter lakhs of rupees, or about a lakh less than that of the recent times. Subsequently the revenue increased due to the readjustments between the Muzaffarpur and Darbhanga revenues which took place after the bifurcation of the two districts from Sarkar Tirhut in 1875 as well as due to resumption proceedings which were not completed till after the conclusion of the revenue survey.

The survey of the Gangetic *diara* took place during the period of 1865—68. It was undertaken with a view to the re-adjustment of revenue rendered necessary by changes in riparian area. Its effects on the revenue roll were, however, slight. As a result of this survey 46 fresh Estates with a demand of Rs. 3,989 were created in Sarkar Tirhut while a remission of Rs. 2,708 had to be granted on account of dilluvion. As no parganawar figures are available, the exact effect of the *diara* survey on the revenue roll of the present district of Darbhanga cannot be given. But as *diara* area of Darbhanga is much smaller than that of Muzaffarpur, it was probably insignificant. The *diara* survey was conducted without first relaying revenue survey boundary accurately. This probably could not be done owing to difficulties in obtaining common fixed points and owing to the small scale of the revenue survey maps. The result is that the villages of *diara* survey often differ considerably from those of revenue survey.

#### *Modern period Cadastral Survey, 1896—1903.*

It was felt that a more accurate survey and the compilation of a comprehensive record-of-rights was necessary to protect adequately the interest of the land—holders and to stop illegal enhancement of rent and oppression of the tenants by the landlords. Notification, therefore, was issued in 1875 ordering the survey of all lands in the districts of Muzaffarpur, Darbhanga, Saran and Champaran. The survey in the district of Darbhanga began in 1896 and was completed in 1903. The Settlement Officers who carried out the survey operations were Mr. Stevenson Moor, I. C. S. and Mr. J. H. Kerr, I. C. S. According to this survey the area of the district was 3,348 sq. miles. Record of rights was prepared in respect of 3,387 villages and an area of 3,308 square miles including 5 miles of *diara* land containing six temporarily settled estates. About 40 square miles of Gangetic *diara* in Revenue Thana Dalsingsarai were excluded from the Survey and Settlement. No record of rights was prepared in respect thereof. The deficiency in *diara* survey of 1865—68 was removed by preparing maps of the *diara* villages on the scale of 16" to a mile after connecting with permanent stations on the high banks on both sides of the river. Maps on the same scale were prepared for the non-*diara* areas as well. This survey was really valuable inasmuch as it



was for the first time that a detailed plotwise map and comprehensive record of rights were prepared. After an accurate survey which removed the want of fixity of tenure put stop to the enhancement of rent from the occupancy Raiyats. Besides the Survey and Settlement Operations various statistics were collected.

According to the cadastral survey of 1896—1903 the district comprised a total area of 3,348 miles or 21,42,848 acres in 3,438 villages. Of this area, the cultivated or assessed area was 16,92,443 acres. About 80 per cent of the area was found under cultivation. The percentage under *Bhadoi*, *Agahani*, *Rabi* and *Dofasala* cultivated area being 28 per cent, 63 per cent, 47 per cent and 38 per cent respectively. Only about 6 per cent of the total cropped area had the advantage of irrigation. Only 10.1 per cent of the total area was recorded as cultivable land. The largest tract of uncultivated area was reported to be in Madhubani Thana. The average size of the village was determined to be 623 acres and that of a holding to 2 acres and of a plot to be 0.4 acre. The percentage of cropped area under rice cultivation was the highest in this district (61.39) as compared to other districts of Tirhut division—Saran (4.3), Muzaffarpur (49.36), Champaran (54.06). The area under sugarcane was assessed to be 6,299 acres forming 0.96 per cent of the net cropped area. In cultivation of indigo this district was lowest of the four with 52,136 acres and 3.08 per cent of the net cropped area. But in tobacco cultivation the district was ahead of the others with 28,807 acres forming 1.7 per cent of the net cropped area.

The area in occupation of landlords and tenants was 2,871 square miles or 86 per cent of the total area of the district. Of this total area occupied by landlords and tenants 14 per cent was under the occupation of proprietors and tenure holders, 83 per cent was under the occupation of occupancy and settled Ryats, 2 per cent was under the occupation of Ryats at fixed rates and rent free tenants while only 1 per cent was under the occupation of non-occupancy Ryats. The area in direct occupation of the landlords was larger in Darbhanga district than of Saran or Champaran but was less than that in Muzaffarpur. There was a marked tendency on the part of the landlords to bring as much of lands under their direct occupation as possible.

The total number of Estates in the district revenue rolls was 13,400. The total revenue demand was Rs. 7,88,301. The total revenue paying area being 20,19,213 acres and the rate of revenue per acre is calculated to be Re. 0-6-2. An attempt was made to assess the total income of the landlords from the revenue paying area and the same was estimated at Rs. 70,28,455 giving a rate of Rs. 3-7-8 per acre. Obviously the assessment of revenue at the permanent settlement had fallen short of its aim allowing only 10 per cent of the assets to the landlords as profits who were enjoying nearly 88 per cent of the same.

The revisional survey of this district is expected to be taken up soon after the operations in Muzaffarpur which are practically concluded (1962).

*Present system of assessment and collection of rent revenues.*

The creation of a class of intermediaries between the Estate and the actual tiller of soil by the permanent settlement of 1793 during the British rule, besides disadvantages to Government, led to certain undesirable consequences on the tenantry. The Collector of Tirhut while making the assessment for decennial settlement has observed that "in making the zamindars, in act as well as in name, lords paramount of the soil, their abject and helpless vassals, the raiyats, trained up to hereditary submission, will bear in silence and secret dread whatever their imposing tyranny may inflict." This was a very correct assessment of things to happen as subsequent events proved to be. The Bengal Regulations VII of 1799 empowered the landlords to distrain the crops of their raiyats and in certain cases to arrest their persons for arrears of rent without reference to any court. The realisation of produce rent continued to be in vogue for large areas of land. Petty landlords made settlement without any *pattas* and refrained from issuing rent receipts of *Bhouli* lands. The raiyats were, in many cases, deprived of the right of enjoyment of usufructs of the trees on their lands. They also did not have the right to mould bricks, dig tanks or to construct houses on their lands without the prior approval of their landlords who in most of such cases resumed the land to themselves. In Darbhanga Raj, there are still a large number of tanks which were actually dug by the tenants at their own expense but the lands had to be surrendered to the Raj before such excavation and although the expenses were fully borne by the tenants, the tanks became the property of the Raj. The oppression of tenantry by illegal exactions was also common. Illegal enhancement of rent or *jama* was frequently indulged into. The realisation of *abwabs* was yet another burden to the tenantry. The Final Survey and Settlement report of Darbhanga details a list of such *abwabs* at page 46 of 1926 edition. The Ex-landlords also took *Hari* and *Begari*. The former consisted of the utilisation of the plough, bullocks and labour of the farmers for cultivation of the land of the landlords without any payment. The latter was a practice of taking forced and free labour from the agriculturist labourers in their Zamindari. The general financial status of the tenantry being too low as compared to that of the Zamindars, the Zamindari system brought many other evils in its wake. The landlords often forgot their social obligations and treated the raiyats with an air of superiority and the tenants became poorer. This was all in addition to the fact, as discussed earlier, that the permanent settlement had deprived the State of a major chunk of

the income from the lands inasmuch as the landlords were appropriating about 88 per cent of the income from fruits whereas the permanent settlement envisaged to allow them to only 10 per cent of it.

From time to time the State Government passed various laws and amendments to the Tenancy Act to give the raiyats some relief. Some of them were amendments to the Bihar Tenancy Act and other Rent laws, commutation of rent, restoration of Bakast lands, reduction of rent etc. But in spite of all such legislation not much improvement was noticed. Some details have been given later.

With the intent of implementing the Government revenues and ameliorating the condition of the tenantry the Government of Bihar, therefore passed the legislation of Bihar Zamindari Abolition Act, 1949. The validity of this Act was challenged by the landlords and the Court granted several injunctions. This act was replaced subsequently by the Bihar Land Reforms Act of 1950. The validity of this Act was also challenged in the Patna High Court which declared that the Act contravened the provision of Article 14 of the Constitution and was, therefore, invalid. The State Government considered the matter in consultation with the Central Government and it was decided to amend the constitution and the Constitution (First Amendment) Bill, 1951 was passed. The competence of the Parliament to amend the Constitution was also challenged in the Supreme Court which ultimately decided the amendment of Constitution to be valid. In a subsequent reference the Supreme Court also upheld the validity of the Bihar Land Reforms Act, 1950.

The first set of the notification for taking over intermediary interest having an annual income of Rs. 50,000 and above a year was issued on 31st October, 1951. Thereafter several notifications were issued in the succeeding years to vest intermediary interests of lower slab incomes. On 26th January 1955, a general notification was issued by which all intermediary interest in the district vested in the State. As a result of these notifications the entire Zamindari interests within the district with all the proprietary rights except the homestead lands, personal orchard lands in *Khas* cultivating possession of the landlords and lands of factories, Golas etc., belonging to the Ex-landlord vested in the State.

For the administration of the land revenue the district has been divided into 44 Anchals (Appendix "B") each under the charge of a Gazetted officer who deals with the revenue matter in their jurisdiction under the control of the respective Subdivisional Officers. The post of a Deputy Collector, Land Reforms has also been created in each subdivision to assist the Subdivisional Officers in revenue administration. These Anchals are further subdivided

into Halkas, there being approximately 10 Halkas in an Anchal and a total of 430 Halkas in the district, each under the charge of a Karamchhari. Gram Panchayats have been formed throughout the district, generally at the rate of 2 Panchayats within a Halka. The total number of Gram Panchayats in the district is 863. The collection of revenue and other matter allied thereto was in the beginning managed through the Karamcharis. The ultimate aim of the Government is, however, to entrust the work of revenue collection to the Gram Panchayats along with their other functions. This is being implemented rapidly and so far 627 Gram Panchayats have been entrusted with the collection of revenue. In the district, administration relating to land revenue and land reforms is carried out by the Additional Collector under the general control of the Collector.

#### INCOME FROM LAND REVENUE AND SPECIAL CESSES.

As a result of the vesting of the intermediary interests the State now collects the rent directly. With the successive notifications of the State and with the progressive stabilisation of the revenue administration, the rent roll or in other terms the revenue demand has been increasing steadily. The rent demands for the years 1951 onwards are shown in the table below :—

Year.	Demand in rupees			
	Rent (current)			
1954-55	..	..	..	.. 34,91,298
1955-56	..	..	..	.. 39,64,304
1956-57	..	..	..	.. 52,39,224
1957-58	..	..	..	.. 53,87,593
1958-59	..	..	..	.. 55,64,439
1959-60	..	..	..	.. 57,40,569
1960-61	..	..	..	.. 66,19,717
1961-62	..	..	..	.. 66,48,181

The complete assessment of the demands has not yet been finalised. The zamindars in many cases did not make over correct *Jamabandies* and some of them did not file any paper whatsoever. To assess the accurate demand of rent and cess, the field *Bujharat* operations were launched whereby complete records were to be prepared in respect of the lands and the income of the rent and cess therefrom in respect of each village. The work is nearing completion when the accurate demand for the district would be available. In any case this demand should be higher than in present figures which are based on *Jamabandies* actually put to realisation. The demand is likely to go further up with the fixation of rent on the *Bakast* lands of the ex-landlords for which no rent was assessed previously. This fixation of rent on the lands in *Khas* cultivating possession of the landlord is now in the final stages.

*Sairat*.—Besides income from rent and cess the ex-intermediaries also derived income by leasing out Fisheries, *Makhana*, Hats, Bazars, *Melas*, Toddy Mahals, *Khurhuls*, Fruit bearing trees, etc. These are termed *Sairats*. The number of different types of *Sairats* on the rolls of the district are as follows :—

Fisheries	..	..	..	..	2,588
<i>Makhana</i>	..	..	..	..	197
Fishery-cum- <i>Makhana</i>	..	..	..	..	247
Others	..	..	..	..	429

The demand from *Sairats* from the year 1951 and onwards is detailed below :—

	Year.				Demand (in rupees).
1954-55	..	..	..	..	1,03,977
1955-56	..	..	..	..	3,15,137
1956-57	..	..	..	..	4,44,572
1957-58	..	..	..	..	4,49,062
1958-59	..	..	..	..	4,38,888
1959-60	..	..	..	..	4,46,841
1960-61	..	..	..	..	4,62,338
1961-62	..	..	..	..	4,19,737

*Cess*.—The District Road Cess Act, 1871 (Bengal Act X of 1871) and the Provincial Public Works Act, 1877 (Bengal Act II of 1877) provided for taxation for the construction and maintenance of roads and other means of communications as also for the construction and the maintenance of public works. The first valuation of the district was made in the year 1876 which placed an annual value of the land at Rs. 58,07,735. Subsequently the aforesaid two Acts were repealed and substituted by the Cess Act, 1880 (Bengal Act IX of 1880) and a revaluation was made in the year 1883 under section 12 of the Act. This revaluation showed the annual value of the land to be Rs. 70,12,943. Revaluation was again made in the year 1896 which yielded still higher figures of Rs. 83,02,783. A rough computation of the landlords' asset has also been made in the *Final Survey and Settlement Report* (1896—1903) and the estimated value was Rs. 70,28,455 approximately. A revaluation of the estates was again done in the year 1908 which placed the assets at Rs. 81,49,499. This figure, although lower than the valuation of 1896, was higher than the estimate made in the *Final Survey and Settlement Report* and the reasons for the difference from valuation of 1896 were attributable to several reasons, e.g., summary assessment, fictitious rent rolls and incorrect areas in Register "D" during the previous revaluations. The last revaluation was done in the year 1920 according to which the annual valuation was Rs. 1,05,63,233. Prior to 1916 cess was payable at the rate of half anna per rupee on the annual value of the estate and tenures and it was known as road cess or Public Works cess. By amendment of 1916 the nomenclature was changed to Local cess and the rate of levy was raised to

Re. 0-1-0 per rupee on the annual valuation. The cess rate was again raised in the year 1944-45 to Re. 0-1-6 per rupee of the annual valuation. The present provisions are for assessment on the annual value of lands at the rate of not less than Re. 0-1-6 or more than Re. 0-2-0 each rupee of the annual value. The maximum rate of Re. 0-2-0 on the rupee was prescribed under Government notification no. 34011-IVC-16-R., dated 13th March 1950.

Prior to the vesting of the estates under the Bihar Land Reforms Act, cess was paid to Government by the ex-intermediaries. Now the realisation of cess from the tenants is done by the State directly. The tenants pay generally at the rate of Re. 0-1-0 on every rupee of the rent payable for their lands according to the provisions of the Cess Act. As in case of the demand of rent collectable from the Raiyats the cess demand also has not been very accurately ascertained. The exact demand will therefore be available only after the field *Bujharat*, etc., are completed. The following table shows the cess demand during the different years :—

Year.	Cess demand (in rupees).	Remarks.
1908 .. ..	4,84,713	After revision.
1920 .. ..	6,36,218	Ditto.
1944-45 .. ..	9,11,361	After enhancement of cess at the rate of Re. 0-1-6 per rupee.
1949-50 .. ..	12,61,819	After enhancement of rate to Re. 0-2-0 per rupee.
1950-51 .. ..	11,42,099	} According to figures of Cess Department, the fluctuations are due to <i>quo moto</i> reduction of cess proceedings.
1951-52 .. ..	11,42,061	
1952-53 .. ..	11,41,778	
1953-54 .. ..	11,41,118	
1954-55 to 1961-62 .. ..	11,41,118	

Exact amount of cess payable by Government in respect of vested estates and tenures in the district for credit to the District fund is still under computation. For the time being *ad hoc* payments are being made to the District Board.

*Special Cess.*—For the upkeep of the public embankments cess had been levied on the benefited areas from time to time. In the year 1960 it was decided by the Government to impose Education Cess for implementing the scheme of free and compulsory education. This cess is also realised through the revenue agencies.

The demand of the special cesses from 1951 onwards is shown in the table below :—

Year,			Embankment cess (in rupees).	Education cess (in rupees).
1951-52	..	..	5,320	..
1952-53	..	..	5,320	..
1953-54	..	..	5,320	..
1954-55	..	..	5,320	..
1955-56	..	..	5,320	..
1956-57	..	..	5,320	..
1957-58	..	..	5,320	..
1958-59	..	..	5,320	..
1959-60	..	..	5,320	..
1960-61	..	..	5,320	3,57,843
1961-62	..	..	5,320	4,28,778

*Diaras.*—*Jamabandies* received from the ex-landlords in respect of the *Diara* areas were not found to be satisfactory. Since the *Diara* areas were omitted from the cadastral survey and have been subject to constant changes by riverine action, no accurate records in respect of the tenancies appeared to have been maintained. The Zamindars appear to have been making settlements of the lands newly accreted, to raiyats other than those to whom the lands previously belonged. The names of the previous raiyats were also allowed to continue in the *Jamabandi*. The general experience being that there were *Jamabandies* for greater area of lands than actually existed at the spot. It was decided to have a departmental check up of the tenancies by spot measurement. This work is being carried out and is expected to be finished soon (1962).

*Land Reforms.*—The Zamindari system with a Permanent Settlement was a source of strained relations between the landlords and tenants. The margin of profit secured for the ex-landlords enabled them to enjoy a life of ease and they could overlook the interests of the tenantry with impunity. It may be very well said that the permanent settlement brought a sort of benevolent despotism between the landlords whose interests were well protected by the law and the tenants a comparatively much poorer proletariat. Landlords were made the immediate masters of the tenants by statutory law and the Government could come to their rescue only from a distance. There were only a few Zamindars who maintained their irrigation system in an efficient state or spent over the improvement of their Zamindari. The *Bhoulidars* or those who paid rent in crops were mostly not granted any rent receipts and the attempt was normally to squeeze out as much as possible from them. In the matters of settlement and mutations also the landlords used to realise exorbitant *Salami*. The tenants cultivating the *Bakast* lands of the landlords were completely at their mercy and were frequently ejected. The landlords were careful that no tenancy rights were created. The Government were alive

to the oppression of the tenantry and took a series of steps of successive legislation and finally by the abolition of Zamindari system by the Bihar Land Reforms Act, 1950.

An early step taken for protection of the tenants was Regulation VI of 1812 which abolished the power of the Zamindars under Regulation VII of 1799 to arrest raiyats or to distrain their crops in case of default in payment of rent. In 1815 measures were taken for reorganisation of the local village agencies, *Patwaries*, which had existed in Mohammadan time. The Regulation XII of 1817 attempted to convert the *Patwari* from Zamindar's servant to an agent of the Government. His appointment and dismissal rested with the Collector though he continued to be paid by the Zamindar. As was natural under the arrangement no proper control could be exercised over the *Patwaries* as his appointment and removal by the Collector was not sufficient to make him independent of the individual from whom they received their wages.

The village officers did not prove very effective in absence of proper control and practically became a mere servant of the Zamindars. The post of *Kanungos*, which was abolished in 1793 after Permanent Settlement, was re-established by Regulation II of 1816 with duties to compile accurate records for his circle from information supplied by *Patwaries*. He was also required to authenticate or register the execution to *Pattas* and *Kabuliats* between the landlords and tenants. This system also did not work well and the *Kanungos*' post was finally abolished in 1817. By Act X of 1859 the customary rights of the cultivators were acknowledged by law, and an attempt was made to settle the relations between Zamindars and their tenants. With the introduction of Act X of 1859 began a new phase in the history of tenancy. This Act was extended to all provinces in one form or another.

The Survey and Settlement Operations of 1896—1903 for the first time made reliable records of the rights of the tenants and decided many of the long standing anomalies. This was a landmark in the stabilisation of the tenants' interests on the land.

With the spread of education and the political movements the tenants became more alive to their condition. With the success of the Champaran Satyagraha of Mahatma Gandhi, the tenants were freed from the grip of the European indigo planters. In 1922-23 Kisan Sabhas were organised which ventilated the grievances of the tenants and their exploitation at the hands of their landlords. The Kisan Sabha activities aroused an appreciable agitation in the years 1935-36 which embittered relations between the landlords and tenants and quite a large number of disputes arose over the *Bakast* and *Bhouli* lands. The Bihar Restoration of *Bakast* Lands



and Reduction of Arrears] of [Rent Act, 1938 were passed to meet the explosive situation. In subsequent years the Rent Reduction proceedings and the Rent Commutation proceedings were taken up on a sufficiently large scale for the benefit of the tenantry.

Prior to year 1934 the recognition of any transfer of raiyati lands was at the sweet will of the landlords. Exorbitant *Salami* used to be charged from the transferee by the landlord for according recognition to the purchase and for mutation of their names. Even after the payment of *Salami*, the purchaser had to execute a deed of surrender with respect of the purchased land and then to take a fresh settlement of the same from the landlord at an enhanced rent. *Salami* could be as high as 25 per cent of the consideration money. The raiyats also had no right to manufacture bricks or tiles or to excavate tanks or dig wells on their raiyati land nor could they erect any building without the consent of the landlord. This consent was purchased only by handsome *Salami*. To ameliorate the condition of the tenants the Bihar Tenancy Amendment Act (8) of 1934 was passed. It recognised all transfers made before 1923 by sale or by gift without transfer fee and for succeeding period of fee of Rs. 4 per cent over the consideration money was fixed as landlord's fee. The Bihar Tenancy Act was further amended in the year 1938 (Bihar Act 11 of 1938) during the First Congress Ministry in Bihar. The raiyats were given full rights in their lands and with the enforcement of the provisions they could use their lands for all legitimate purposes and dispose of the same at their will without the consent of the landlord. The landlords' fee was reduced to a nominal amount which had to be deposited at the time of the registration of the deed of transfer. The provisions of the Bihar Tenancy (Amendment) Act, 1947 brought further relief to the tenantry by conferring upon them the right over all the trees on their holdings. They could now plant trees or bamboos and cut and appropriate the same. They can now also appropriate the flowers and fruits and other products in trees and bamboos. Besides, insertion of section 23(a) in the Bihar Tenancy Act by the aforesaid amendment, also entitled the raiyats to get commutation of the rent of any *Bhoul* holding having trees over it (section 40 B). Any realisation of *Tahrir* by the landlords or his agent was made penal. The provisions were also made for the payment of rent by postal money orders so that *Amlas* and the landlords may not avoid the acceptance thereof. The rent commutation proceedings were of particular help to the *Bhoulidars* as the money value of the kind rent was generally much higher than rents fixed on commutation. They also brought recognition to the title of such raiyats as did not have any documentary evidence of the same.

The old tenancy laws did not provide any safeguard for the under-raiyats. By the amendments of the Bihar Tenancy Act in

1938, under-raiyats were granted some statutory rights under section 48(a) of the Act which enabled them to acquire occupancy right on the lands cultivated by them for 12 years or more continuously. Similarly section 48(f) inserted by the amendment of the Bihar Tenancy Act in the year 1945 provided the safeguard for the unlawful eviction of under-raiyats.

A whole Chapter VII-A\* was added to the Bihar Tenancy Act in the year 1945 restricting alienation of land by the aboriginals. By an amendment effected in the year 1955, the provisions were extended to all members of the Scheduled Castes, Scheduled Tribes and Backward Classes. The Privileged Persons Homestead Tenancy Act was enacted in the year 1947 to protect the interests of the members of Scheduled Castes, Backward Tribes and specified classes of the Muslim Community on their homestead lands. But all these legislations were on the periphery of a stabilised land-system. The land-system was found to be uncharitable and the Welfare State that was ushered in after Independence in 1947 decided as an All-India Plan to abolish Zamindari system altogether.

The ownership of the cultivable lands was hitherto limited to a small percentage of the population. There was no equitable distribution of land with the result that the major bulk of the population had to be dependant on agricultural labour and on such scanty areas of land as fell to their share. While the large cultivators were incapable in obtaining the maximum yield by intensive cultivation on their lands, the others did not have sufficient lands to utilise their potential man power. The result in both the cases was an unbalanced and uneconomic farming. The disparity in distribution of lands was a serious handicap in all agricultural developments. Accordingly the (Fixation of Ceiling Area and Acquisition of Surplus Land) Act was passed in the year 1961 and is being implemented.

Another handicap which seriously jeopardised good cultivation was fragmentation of the holdings. The lands were, due to successive transfer, partition, etc., torn to very small pieces so much so that a raiyat's holdings lay scattered over considerable areas of the village and besides difficulties in supervision it was frequently rendered difficult to plough them well. For the consolidation of the holdings, Bihar Consolidation of Holdings, and Prevention of Fragmentation Act, 1917 was passed in the year 1956 (Act 22 of 1956).

*Bhoodan*.—Bhoodan movement was launched by Shri Acharya Binoba Bhave, a disciple of Mahatma Gandhi to equalise the distribution of land so far possible. The removal of the disparity is sought to be done by peaceful and voluntary methods. Persons possessing lands are requested by the workers to donate lands to the best of their ability and the lands received in donation are

settled with landless persons. To facilitate the work of Bhoodan the Government have passed the Bihar Bhoodan Yajna Act, 1954 which provides for the donation and settlement of lands in connection with the movement. A statutory committee known as the Bihar Bhoodan Yajna Committee has been established under section 3 of the Act to administer all lands received in donation. *Danpatras* received are confirmed by the Revenue Officers. Pecuniary help in form of subsidy and loan are given to settlees of the Bhoodan land for purchase of agricultural implements, etc., to help them settle in cultivation. The achievements made in connection with Bhoodan are shown by the following data. To further augment the purposes of Bhoodan Yajna provisions have been made in the Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 for compulsory levy of one *Katha* of land out of every *Bigha* of land held by every cultivator.

With the abolition of Zamindari the responsibility for the efficient management of the irrigation works has devolved on the State Government. The Government have been spending large amounts over the construction and maintenance of irrigation channels, tanks, Bundhs etc. Other works of improvement of *hats*, Bazars providing drinking water facility, etc., are also financed out of revenue funds. Such of the charitable institutions previously maintained by the ex-landlords as have specific properties assigned for their maintenance are also being maintained by Government—

(1) Number of <i>Danpatras</i> filed (up to 31st March 1962) ..	22,998
(2) Total area of land donated .. ..	19,895.54 acres.
(3) (a) Number of <i>Danpatras</i> confirmed .. ..	20,098
(b) Number rejected .. ..	135
(c) Pending .. ..	2,765
(4) Number of Bhoodan tenants with whom settled ..	7,476
(5) Total area settled .. ..	19,695.29 acres,

## APPENDIX "A"

Statement showing parganas in Darbhanga district.

Subdivision.	Name of thana.	Name of pargana.	Area of pargana or portion of pargana in square mile.	Total area of thana in square mile.
Madhubani	.. Benipatti	Bhala .. ..	61	
		Nutan .. ..	47	
		Bachhaur .. ..	1	
		Bharwara .. ..	7	
		Tajpur .. ..	16	
		Basautar .. ..	1	
		Jarail .. ..	137	
				270

APPENDIX "A"—contd.

Area of pargana or portion of pargana in square miles. Total area of pargana or portion of pargana in square miles.

Subdivision.	Name of thana.	Name of pargana.	Area of pargana or portion of pargana in square miles.	Total area of pargana or portion of pargana in square miles.			
Madhubani	Khasauli	Jabdi ..	87	142			
		Baohaur ..	13				
		Hati ..	11				
		Gaur ..	74				
		Bhala ..	6				
		Jarail ..					
		Phulpares	..		Alapur ..	266	49
					Bhaur ..	4	
					Pachahi ..	1	
					Naredigar ..	66	
Jabdi ..	10						
Mokrapur ..	35						
Dharaur ..	24						
Khand ..							
Madhubani	..			Jabdi ..	23	70	
				Baohaur ..	29		
		Hati ..	81				
		Bhaur ..	4				
		Parbarpur ..	33				
		Gaur ..	15				
		Gopalpur ..	4				
		Lowam ..	2				
		Dharaur ..	3				
		Naredigar ..	12				
Darbhanga Sader	Darbhanga	Jakhar ..	5	298			
		Gopalpur ..	9				
		Lowam ..	57				
		Pindaruch ..	19				
		Berei ..	3				
		Partharpur Bagho ..	24				
		Pingri ..	22				
		Ughara ..	9				
		Sihora ..	16				
		Bhadwar ..	7				
Darbhanga	..	Jakhar ..	5	428			
		Gopalpur ..	9				
		Lowam ..	57				
		Pindaruch ..	19				
		Berei ..	3				
		Partharpur Bagho ..	24				
		Pingri ..	22				
		Ughara ..	9				
		Sihora ..	16				
		Bhadwar ..	7				
Darbhanga	..	Jakhar ..	5	428			
		Gopalpur ..	9				
		Lowam ..	57				
		Pindaruch ..	19				
		Berei ..	3				
		Partharpur Bagho ..	24				
		Pingri ..	22				
		Ughara ..	9				
		Sihora ..	16				
		Bhadwar ..	7				

Subdivision.	Name of thana.	Name of pargana.	Area of pargana or portion of thana in square miles.	Total area of thana in square miles.
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Darbhanga Sadar	Bahera	Chak Mani	23	448			
		Ughara	6				
		Jakhari	3				
		Havi	102				
		Jakharpur	7				
		Abhivara	34				
		Tarson	1				
		Salempur Mahua	4				
		Dharaur	104				
		Ahis	70				
		Lowam	44				
		Salambabad	2				
		Fakhrabad	1				
		Fartharpur Bagho	17				
		Gopalpur	22				
		Fachahi	3				
		Bhar	1				
		Pingri	2				
		Benua	1				
		Purab Bhigo	1				
		Ruseera			Jakhari	30	348
Kasama	19						
Jakharpur	48						
Sarasa	1						
Padri	87						
Bade Bhuarai	2						
Hamidpur	18						
Benua	44						
Hirni	32						
Ahis	1						
Tarson	34						
Chak Mani	31						
Abhivara	1						
Warianager		Kasama	118	196			
		Jahangirbad	1				
		Shahjahanpur	1				
		Kharsand	5				
		Chak Mani	1				
		Barail	20				
		Jakhari	50				
		Samastipur			Sarasa	296	286
Dalsingra		Sarasa	178	3,348			
		Balgobh	107				
		Hajipur	1				
Total area of the district							

## APPENDIX "B"

Statement showing the names of Anchals in the district of Darbhanga.

Name of Subdivision.	Name of Anchal.
1. Darbhanga Sadar .. ..	(1) Darbhanga. (2) Singhwara. (3) Bahadurpur. (4) Jogiyara. (5) Hayaghat. (6) Ghanshyampur. (7) Monigaohhi. (8) Baheri. (9) Benipur. (10) Keoti. (11) Biraul.
2. Madhubani .. ..	(12) Jainagar. (13) Basopatti. (14) Ladania. (15) Khutauna. (16) Khajauli. (17) Babubarhi. (18) Jhanjharpur. (19) Anadharathadhi. (20) Pandaul. (21) Rajnagar. (22) Madhubani. (23) Madhopur. (24) Benipatti. (25) Bisfi. (26) Harlakhi. (27) Madhwapur. (28) Ghoghardiha. (29) Laukahi.
3. Samastipur .. ..	(30) Samastipur. (31) Sarairanjan. (32) Dalsingsarai. (33) Bibhutpur. (34) Mohiuddinagar. (35) Patori. (36) Morwa. (37) Pusa. (38) Kishanpur. (39) Kalyanpur. (40) Rusera. (41) Hasanpur. (42) Singia. (43) Kusheshwar Asthan. (44) Ujiyarpur.