

CHAPTER X.

LAND REVENUE ADMINISTRATION.*

REVENUE HISTORY.

Under the rule of the Mughal emperors the district appears to have been included in *Sarkars* Hajipur, Tirhut and Monghyr. The greater portion was apparently comprised within *Sarkar* Monghyr, which was assessed to Rs. 7,41,000 by Todar Mal in 1582. According to Mr. Grant's account (1787), this *Sarkar* was "altogether or for the most part unsubdued and probably unexplored, as held by independent or refractory zamindars," and we may perhaps accept his view that it was only included in the assessment owing to "the ambitious conquering policy of the Mughals, having always in prospect the entire subdivision of the lesser as well as the greater states of Hindostan†". However, this may be, *Sarkar* Monghyr must have embraced areas not included in the present district, for when the *Diwani* was taken over by the British in 1765, it extended over 8,270 square miles, assessed to a net revenue of Rs. 8,08,000.

The district was constituted in 1832 by the transfer of several *parganas* from the districts of Bhagalpur, Bihar and Tirhut, the land revenue being, it is reported, Rs. 3,82,330 paid by 1,049 estates with 5,583 registered proprietors. Two years later *pargana* Chakai was transferred from the district of Ramgarh, and other changes were made in 1839, 1845 and 1846. At that time the land revenue, excise and other revenue were, for the most part, paid into the treasury at Bhagalpur, and the accounts were not kept separately. This continued to be the practice till 1850, when the land revenue of Monghyr was Rs. 7,49,230, the number of estates being 3,581, and of proprietors or co-parceners 26,933. In 1874-75 the number of estates on the revenue roll had increased to 4,053 and the land revenue to Rs. 9,40,340; and it is now nearly the same, the collections in 1907-08 being Rs. 9,32,238. The number of estates has now increased to 10,360 but the land revenue continued practically the same till the abolition of zamindaris in 1950-51 when the total collection was Rs. 9,27,127. Owing to the land revenue accounts of Monghyr not having been kept separately before 1850, it is not possible to have any comparison between the present land revenue and the figures for earlier years. It is, however, known that the demand increased largely during the first half of the nineteenth century as the result of resumption proceedings. At the Permanent Settlement a large proportion of the area was claimed as revenue free or *jagir* and escaped assessment. In fact, it is estimated that in eight *parganas*

* This text is largely based on this Chapter in the previous Gazetteer but brought up-to-date.

† Fifth Report of the Select Committee (Reprinted, Madras, 1883), Vol. I, pp. 507-8.

of North Monghyr, which were transferred to this district from Tirhut, one-eighth of the area was not assessed. By 1831, however, the resumption proceedings had raised their revenue from one to two lakhs. In *pargana* Pharkiya also the resumption proceedings instituted after the survey of 1835-1838 raised the demand from Rs. 46,226 in 1795-96 to Rs. 88,039 in 1846. The demand, which was progressive has since increased in that *pargana* to Rs. 1,26,238.

SURVEYS AND SETTLEMENTS.

The first provisional survey was carried out between 1835 and 1838 in *pargana* Pharkiya by Lt. Egerton. This survey was determined upon in order to demarcate certain *wairana* lands, i.e., tracts of waste land outside the orbit of the settled and cultivated villages, to which it was held that the Permanent Settlement did not extend. The survey was confined to boundaries and had neither the accuracy nor the completeness of the subsequent revenue survey. The latter was carried out in the rest of the district by Captain Sherwill in 1845-1847, the survey of *pargana* Pharkiya being formally given the dignity of a revenue survey. A survey of *diara* lands subsequently took place in 1865-66. The Srinagar-Banaili estate in North Monghyr, with an area of 174 square miles, was surveyed and settled between 1887 and 1894; and 47 square miles, in *thanas* Teghra and Begusarai were surveyed in 1895-96 in connection with the settlement of the Narhan estate (1893-1898). More recently survey and settlement operations have been extended to North Monghyr and to the Government estates south of Ganga, work being commenced in 1899 and concluded in 1904. The remaining area of South Monghyr was surveyed from the years 1905 to 1912.

ESTATES.

According to the Collectorate returns, the number of estates on the revenue roll in 1907-08 was 8,119, including 8,002 permanently settled estates, 61 temporarily settled estates and 56 estates held direct by Government and the current demand of land revenue was Rs. 9,26,000.* Now the estates on the revenue roll till 1950-51 had come to 10,360 including 10,222 permanently settled estates, 56 temporarily settled estates, and 82 estates held by Government under the direct management and the current demand of the land revenue on all estates was Rs. 9,36,884. Owing to the backward condition of the country at the time of the Permanent Settlement, its incidence is low, amounting only to one-tenth of the gross rental of the district. It is particularly low in North Monghyr, where only a small portion of the area was assessable even as late as 1850; and though a large increase in the demand was obtained in *pargana* Pharkiya in comparatively recent times, that assessment was necessarily low, because

* In 1923-24, the number of estates was 9,397 and the demand of land revenue was Rs. 9,74,079. There were 9,300 permanently settled, 68 temporarily settled estates; 29 estates were held direct by Government.

even then a large percentage of the area resumed was not under cultivation. In the total land revenue-paying area of this portion of the district the incidence of revenue per acre is only annas 6-7, while the assets are Rs. 2-9-9 per acre. Thus the zamindars of North Monghyr enjoy 85 per cent of the assets instead of 10 per cent, the normal share which was reserved to them by the Permanent Settlement.

Subdivision of property is known to have gone on rapidly, the number of estates on the revenue roll rising from 4,053 in 1874-75 to 8,119 in 1907-08, and to 9,397 in 1924. Apart, moreover, from partitions recognised by Government, private partition has gone to extreme lengths. In North Monghyr, for instance (for which alone accurate statistics are available), though the total number of estates, according to the Collector's registers, is 4,367, the Settlement Officer had to frame 9,730 separate records of proprietary interests. Also, it was found that 901 estates had been privately partitioned into no less than 5,899 *pattis* or shares, for each of which a separate sub-record had to be prepared. Nine per cent of the revenue-paying and 10 per cent of the revenue-free estates had been privately partitioned, and on an average there were 7 *pattis* in each estate. The number of proprietors was 83,410 and was greatest (21 on the average) in privately-partitioned revenue-paying estates, and least (3 on the average) in jointly held revenue-free properties, many of which are of a petty size.

The area belonging to each proprietor is extremely small, enquiry showing that an average village of 599 acres is ordinarily divided among six *pattis*, with no less than 51 proprietors and that each proprietor's share is only about 12 acres. In Gogri *thana* an estate averages 285 acres and each proprietor's interest 69 acres; but in *thanas* Teghra and Begusarai the estates are exceptionally small, averaging only 40 to 70 acres respectively, while each proprietor's share is 4 and 5 acres, respectively. In these two latter *thanas* alone *khewats*, or records of proprietary interest, had to be prepared for no less than 26,011 estates, 9,831 *pattis* and 68,237 landlords, the smallest recorded subdivision of proprietary rights being 1/2,480,000,000 of an anna. In a single plot of land the area of which was just over half an acre, there were 1,582 co-sharers, each of whose shares represented only, .00036 of an acre, or 7¼ square feet.

A special enquiry was also made by the Settlement Officers regarding the transfer of proprietary rights during a period of ten years in nearly a third of the area of North Monghyr. It was found that one out of every five *pattis* had been transferred by sale in whole or in part, and that just under one-eighth of the area of the selected villages had changed hands in the decade.

ZAMINDARI ABOLITION.

With the enactment of the Bihar Land Reforms Act, 1950, Government decided to take over all the zamindaris and *tepures* in

the district. The estates and tenures of 24 big proprietors each having an income of above Rs. 50,000 were notified under the Bihar Land Reforms Act in 1951 and possession was taken for the purposes of management in 1952. The other estates and tenures were gradually notified and possession taken over. Thus by individual notifications as many as 4,956 estates were taken over by the State in this district.

In notification no. 5404-L.R., dated the 21st September, 1954, Government published their intention to take over all estates and tenures in this district. This intention of Government was circulated to each village by beat of drums and a copy of the proclamation was also hung up at conspicuous places in villages. The zamindars and other intermediaries were asked to file *jamabandis* of their estates in authenticated manner so that there may not be any difficulty in management of their estates and also in payment of compensation. After this there was another notification from Government, viz., no. 631-L.R., dated the 26th January, 1955 and all the estates vested in State Government on the 26th January, 1955. The intermediaries showed apathy and they did not furnish complete *jamabandis*. In cases of some petty zamindars, no return has yet been filed and steps have been taken to compile *jamabandis suo moto* after contacting the tenants in villages.

As many as 21,819 *tauzis* (both revenue-paying and revenue-free) now stand vested in State Government. Although by the above notification all the estates in the district stand vested, Government have not yet taken possession over the estates of Shri Laldhari Singh of Begusarai subdivision and 8 annas interest of Banaili Raj. This is due to the fact that injunction orders in respect of these estates have been issued by Patna High Court and they have not yet vacated the same. Since Government are entitled to rent, etc., after vesting on 26th January 1955, steps are being taken to get the injunction orders vacated as early as possible.

KATCHERY BUILDING.

As many as 296 *katchery* buildings have also been taken over from the outgoing landlords. But in respect of many *katcheries* enquiries regarding their release are pending. According to recent Government instructions, *katchery* buildings which were partly used as *katchery* and partly as residence will be released after due enquiry by gazetted officers.

VILLAGE-WISE RECORD.

It has been stated above that zamindars and other intermediaries do not co-operate with the scheme of taking over their interest and as such they did not furnish the full information of the estates held by them. With a view to get full information and also to ascertain the correct position, village-wise records have to be compiled. In these records the information as regarding the number of intermediaries, the rent and cess collected by them, miscellaneous income

from *sairats*, etc., *gairmazaruwa am* and *khas* lands, pasture and community lands, village irrigation sources and important matters concerning the villages are obtained.

FIELD BUJHARAT OPERATION.

Many changes have been brought in tenancy and intermediaries have failed to furnish details about the present position. With a view to get the present correct position in connection with tenancy, field *bujharat* operation has been taken up. In this operation, *bujharat* is taken from *khata* no. 1 of a particular village and all changes in the names of the owners and also in nature of tenancy are noted in a separate register on the basis of the *khatian* of the village. This will give an idea of the actual owners of the lands and it will facilitate in realisation of rent. Unassessed areas will also come to notice and in this way the correct collectable *jama* will be ascertained. Areas available on settlement will also be located and settlement will be made with poorer section of the people.

According to the last survey there are 4,729 villages and 33,36,326 plots in this district. Field *bujharat* work in respect of 3,646 villages and 32,01,201 plots has so far been done. In respect of other villages, it is in progress and it will take some time more to finalise the records.

UNITS OF REVENUE ADMINISTRATION.

With the object of managing the revenue work, development and other administrative work, the district has been divided into 39 *Anchal-cum-Development* Blocks. In the Sadar subdivision there are 12 *Anchal-cum-Development* Blocks, in Begusarai 11, and Khagaria and Jamui subdivisions have each 8 *Anchal-cum-Development* Blocks. Each *Anchal-cum-Development* Block has nearly 100 villages and 20 *Gram Panchayats*, containing 9 to 12 *halkas* generally. The lowest unit of administration is *halka* which is manned by a *Karamchari* and a *Tahsil* peon. There are 390 *halkas* in this district each having a *Karamchari* and a *Tahsil* peon. In addition to these, there are 39 leave reserve *Karamcharis*. Each *Anchal-cum-Development* Block has got an *Anchal Adhikari* (Sub-Deputy Collector) and the Circle Inspector is the link between the *Karamcharis* and the *Anchal Adhikaris* and he is responsible for maintenance of proper accounts by *Karamcharis*. At present 27 *anchals* are functioning and remaining 12 are tagged with them for management but their accounts and records are kept separately so that there may not be any difficulty at the time of separating the management of the tagged *anchals*.

Most of the *Anchal Adhikaris* and *Karamcharis* have no buildings to locate their offices. Steps have been taken for construction of new buildings and in course of a few years suitable buildings will be constructed.

In addition to the above staff, there is an Additional Collector to assist the Collector in looking after zamindari affairs at the district headquarters. At the subdivisional headquarters, there is a Deputy Collector in charge of Land Reforms and Development Work (one for each subdivision) and the Subdivisional Officers manage the work of revenue and other administrative work with their assistance.

COLLECTABLE JAMA OF THE DISTRICT.

The total collectable *jama* of the district as ascertained up to the year 1956-57 was Rs. 50,28,455 including rent, cess and *sairats* of both Government and vested estates. But on the basis of various revenue reports, Shri K. K. Mitra, I.A.S., Director of Land Records and Surveys, Government of Bihar has pointed out that the probable rent roll of the district should not be less than Rs. 70,60,762 besides the income from mines, forests, *sairats* and other sources. There is still a large sum to be ascertained as collectable *jama* of the district. The big gap in the collectable *jama* to be ascertained includes the demand of two estates of 8 annas Banaili Estate and of Shri Laldhari Singh's Estate and also the *jama* to be arrived at by fixation of rent on *Bakasht Khud Kast* and other unassessed lands. A large number of cases have been instituted on fixation of rent in *anchals* and steps are being taken to dispose of such cases as quickly as possible.

As against the above collectable *jama* a sum of Rs. 51,78,833 was realised in 1955-56 and Rs. 33,65,016 in the year 1956-57. There was fall in collection figure due to drought and failure of *rabi* crops.

While the vesting of estates was going on, the intermediaries also realised rent for the period after vesting of their estates. Information goes to show that a sum of Rs. 31,29,856 in respect of rent, Rs. 27,954 in respect of cess and Rs. 42,626 in respect of *sairats* were realised by outgoing landlords in excess. They have to refund the amounts realised in excess. Arrangement is being made to recover them by deduction from compensation money payable to them.

SAIRAT INCOME.

The main income from *sairats* in this district is from *jalkars*, *ghats*, *hats* and *bazars*. Miscellaneous revenue also accrues from settlement of *mahwa* flowers, products of *semal* trees, palm and *khajur* trees, and also from birds. The annual income from *sairats* is Rs. 3,52,373 but it is fluctuating every year.

IMPROVEMENT PROGRAMME.

According to the Government instructions, 12½ per cent of the 80 per cent of the collection is to be spent over the work of improvement in vested and Government estates. In addition to this 2½ per cent is allowed on repairs and maintenance of *katcheries*. The improvement grants are utilised in maintaining irrigational sources which were the responsibility of the ex-landlords according to *fard-ab-pashi* records-of-right and *missil sailabi*, maintenance of village

roads, educational institutions and other schemes in the interest of tenants. A sum of Rs. 4,18,000 and Rs. 3,21,940 were spent on account of improvement schemes in the years 1955-56 and 1956-57 respectively.

AD INTERIM PAYMENT.

As many as 40,693 returns have been filed by intermediaries in this district and cases for *ad interim* payment in respect of 39,775 returns have already been started. A sum of Rs. 22,62,490 has so far been paid as *ad interim* payment. As regards payment of final compensation action for preparation of compensation assessment rolls is being taken. So far 27,919 cases in connection with payment of final compensation have been started in this district. Steps for starting cases in remaining cases have also been taken up and it is expected that final compensation will be paid early.

ABOLITION OF VARIOUS SECTIONS OF COLLECTORATE.

As a result of abolition of zamindaris in this district, Khasmahal has merged in Land Reforms Section. Tauzi and Cess Department has been named as Rent and Cess Section, a part of the Land Reforms Section. Batwara Section is no longer in existence. After mutation of the name of the State of Bihar, the Land Registration Section will also be abolished very shortly.

ZIRAT OR KAMAT.

Out of the total area occupied by landlords in North Monghyr, only 619 acres have been recorded as *zirat* or proprietors' private land and 311 acres in South Monghyr. Under *kamat*, or *zirat*, are locally included all lands in the landlords' cultivating possession, as well as lands which, though settled with tenants, have at any time been bought in by the landlord at sales of *railyati* holdings for arrears of rent. Nearly 5 per cent of the total number of tenancies, covering 10 per cent of the occupied area, were recorded as *bakasht malik*, that is to say, as in the cultivating possession of the proprietor, but not proprietor's private land.

GOVERNMENT ESTATES.

There are 138 Government estates in Monghyr, of which 56 are temporarily settled, while 28 are held under direct management. Altogether, 79 were surveyed and settled at the same time in North Monghyr or later and these constitute the bulk of the Government estates, the remainder being (1) the four temporarily settled Bhisunda Mahals, which will be mentioned later, (2) some town estates, such as Monghyr fort, and (3) a number of petty mofussil estates, consisting of a plot or two marking the site of an abandoned police outpost, cattle pound, etc. Of the 79 estates dealt with, 32 estates, with an area of 95 square miles, lie in North Monghyr, and 57 estates, with an area of 57 square miles, are situated south of the Ganga.

The position with regard to Government estates in the district has now changed. Due to purchase of several estates and formation of new inlands, the number of Government estates has now come to 138 of which 56 are temporarily settled while 26 are held under direct management and 30 which were leased on firms or with the proprietors have now vested in State Government with effect from 26th November, 1955. All the estates have been surveyed from time to time either under Chapter X of the Bengal Tenancy Act or under Regulation VII of 1822. The total *jama* of the entire Government estates is Rs. 1,71,527 covering an area of 158 square miles.

There was a separate unit for administration of Government estates. But this unit has merged in Land Reforms Section with effect from 1st September, 1955 and the estates have been transferred on management to various *anchals*. But their accounts are kept separately from vested estates.

The largest class of estates, consisting mainly of *diara* estates, include those resumed at different dates, but mostly between 1825 and 1840, under Regulation II of 1819. Forty of these are either Izad Mahals, viz., lands not included in the original settlement through mistake, or subsequent accretions or formations by alluvion. Besides these, there are eight estates (five in Gogri, one in Surajgarha and two in Sheikhpura) which are known as Wairana Mahals. Those in the north of the district were portions of *tappa* Suraunja, which was entirely waste at the time of the Permanent Settlement, and was, therefore, excluded from settlement. Those in the south were unsettled waste lands lying within the ambit of *parganas* settled with the Raja of Kharagpur, and of which he refused settlement, when it was proposed to resume them. Another group includes 15 estates which were at one time permanently settled estates in the *diaras*, for which the proprietors took remission of revenue, when it was discovered during the revenue survey that they had diluviated. They were taken possession of by Government, on their subsequent reformation, and in some cases managed direct and in others leased to farmers or to the original proprietors. Ten estates came into the hands of Government at different times by purchases at revenue sales; five others were formed from excess or *amanat* lands out of the area purchased by Government from Bunia Singh, the principal zamindar of *pargana* Pharkiya in the beginning of the nineteenth century and from other proprietors, for distribution in the shape of revenue-free grants among the East India Company's pensioned or invalid sepoy. One estate represents land acquired for railway purposes. The following is an account of the distribution of the estates in the different *thanas* of the district :—

Begusarai *thana* contains 10 *diara* estates covering an area of over 30 square miles, of which the majority lie within fairly easy reach of Begusarai town. There are also 21 inland estates grouped round Sisauni, about

6 miles north of the railway near the Burhi Gandak river, which cover, all told, an area of less than 2 square miles. The largest estates are Arazi Bhawanandpur with an area of over 17 square miles, Jafarnagar nearly 5 square miles in extent, and Mahazi Bhawanandpur and Akbarpur Barari covering about $3\frac{1}{2}$ and 2 square miles respectively.

Gogri *thana* contains 8 inland estates, covering an area of over 21 square miles, and 7 *diara* estates, viz., five estates which as mentioned below have been recently traced, Tetrabad, which is only 8 acres in extent, and Binda *diara* which has an area of 43 square miles. The estate last named is now bisected by the Ganga, and for police purpose is divided into two estates, Shumali and Janubi, of which the former is in the jurisdiction of Gogri *thana* and the latter of Monghyr *thana*. Of the inland estates, all except Parbatta, which is not far from Binda *diara* are of considerable size; Cherekhera, Agar and Dhanpura lie some 16 miles north of Khagaria railway station, not far from where the Tiljuga enters the district; Goas and Morasi are even more inaccessible, lying off away from good road some 10 miles north of Maheshkhunt station; Arazi Jalkar Mohani is close to Jamalpur Gogri. These six large estates contain mostly low lands suitable for paddy cultivation, while in the small one, Parbatta, high lands predominate and the *bhadai* and *rabi* harvests are the most important. For the sake of facility in collection and agricultural statistics survey, Binda *diara* estates have been subdivided in nine *tolas*, viz., Harinmar, Jhawa-bahiar, Fulkia, Mirza, Jhakahwa, Ekasi, Antiram, Prem and Behari *tolas*.

In 1908, after the conclusion of the settlement, four petty estates, which were purchased by Government at revenue sales and were long treated as diluviated, were traced and brought under direct management. These estates are called Jagir Raushan Khan, Naik Thana Jafra, Jagir Basti Singh, Sipahi Thana Jafra, Jagir Manik Singh, Sipahi Thana Jafra and Jagir Gurdalay, Naik Thana Jafra. The fifth estate, entitled Dund Sukul, Naik Thana Jafra has partly come out of water. The other remaining estates have been purchased at revenue sales.

In *thana* Monghyr there are 50 Government and temporarily settled estates with an area of 56 square miles. There are two inland estates, Amanat Sarkar, Itahri and Bargoria, which cover barely 120 acres between

them, though the lands of the former are scattered over no less than 7 villages, some of which are near Bariarpur railway station and others near Jamalpur. Of the *diara* estates, Kutlupur, Tarapur and Zamin Digri (or Decree) are the largest, Kutlupur covering 20 square miles, Tarapur about 13, and Zamin Digri nearly 9 square miles, or 42 square miles in all. Tarapur adjoins Binda *diara*, Zamin Digri is close to Monghyr fort and railway station, while Kutlupur is some 14 miles west on the border of *thanas* Monghyr and Surajgarha. A number of petty estates are grouped just opposite or alongside Monghyr town, and the remainders are midway between Monghyr and Kutlupur. For the sake of collection and agricultural statistics, Kutlupur has been subdivided into five *tolas*, viz., Bahadurnagar Khurd, Bahadurnagar Kalan, Kutlupur Khas, Chaitola and Nawbarar.

In Surajgarha *thana*, there are 12 estates covering a little more than 8 square miles, but Rahatpur with an area of 3 square miles, and Kherho Paranpur covering a little over 1 square mile, are the only two of importance. Ratanpur and five other petty *diara* estates are all fairly close to Surajgarha, while the inland estates are grouped round Lakhisarai and Kiul.

In Sheikhpura *thana* Government holds 7 estates situated some 16 miles south of the station of that name; they cover an area of about one and half square miles.

There are other more 13 estates which are either under direct management or temporarily settled estates since vested in State Government under the provisions of the Bihar Land Reforms Act, 1950. They lie in Kharagpur, Jamui and Jhajha police-stations. They are all petty inland estates covering an area of about one square mile. These estates have been purchased at revenue sales.

Besides, there are three tracts of B-class relinquished railway lands extending from Jamalpur to Barhaiya and from Lakhisarai to Simultala and they cover an area of one-third of a square mile. The income from these estates is deposited under head "Railway Revenue" after deducting 10 per cent as management cost.

The effect of the rent settlement concluded before 1908 has been to increase the rent roll in estates under direct management from Rs. 53,319 to Rs. 64,518 or by 21 per cent, and the incidence of revenue is now Rs. 2-6-9 per acre. Assuming alterations in allowances to settlement holders and farmers, the revenue of temporarily settled estates has been increased from Rs. 36,235 to Rs. 44,451 or by 22 per cent, and of farmed estates from Rs. 14,371 to Rs. 19,847 or by 37 per cent. There had been no alteration in the revenue demand of these two latter classes of estates for periods varying from

20 to 30 years and the incidence of the new revenue is Rs. 1-10-7 and Rs. 1-12-9 respectively.

After the previous rent settlements, there have been periodical surveys according to which rent has been revised and enhanced on the basis of rises in price and change in nature of soil. As a result of this, the rent roll in the estates under direct management has been raised from Rs. 64,518 to Rs. 1,67,601 and the incidence of revenue per acre is now Rs. 2-9-3 or Rs. 2.57 nP per acre.

Of the total number of holdings in Government estates, 68 per cent have been recorded with rights of occupancy, three-fourths of these being *diara* holdings, occupied for more than 12 years continuously, 31 per cent have been recorded as non-occupancy, the majority of which are also *diara*. Some difficulty about status arose from the practice, once common in Monghyr, of granting large speculative leases of unculturable *diara* to residents of Monghyr who had no intention of cultivating for themselves, but took leases at low rates in the hope of being able to make a profit by sub-leasing later at high rates. The terms of the original lease made it necessary in some cases for the Settlement Officers to record speculative tenureholders as *raiya*s, and this accounts for the number of under-*raiya*ti tenancies recorded. But at present all have acquired the right of occupancy *raiya*s.

BHAISUNDA MAHALS.

The estates known as the Bhisunda Mahals are a curious survival of the early settlement of *pargana* Pharkiya. At the time of the decennial settlement, revenue was specially and separately assessed on the assets derivable from grazing fees. This assessment was called *bhisunda* and continued to be made even after the Permanent Settlement. When resumption proceedings were started in the *pargana*, and the land settlement was made permanent, the Bhisunda settlement still continued to be temporary. The result of this arrangement, of the numerous changes in ownership which have taken place during the period that has since elapsed, of the enormous increase in the cultivated area and the corresponding decrease in the area suitable for grazing, is that in recent years there have been constant defaults of the settlement holders of the Bhisunda Mahals, who are in most cases not the proprietors of the villages in which those mahals lie. Of late years it has been difficult to get any one to take up their settlement, and it has consequently been proposed by the Settlement Officer that these *mahals* should be struck off the revenue roll when the current terms of settlement expire. Bhisunda Mahals are no longer now in existence.

The 1905-07 settlement has shown that in North Monghyr rent-paying tenures cover 19 per cent of the area and rent-free tenures, 2 per cent, and that only 4 per cent is sublet. Sub-infeudation

ordinarily extends only to the first degree and is not of the complicated character so common in Lower Bengal. The area cultivated by tenure-holders themselves is less than 3 per cent of the occupied area. The average area of their holdings is least in Begusarai and Teghra, and largest in Gogri. In the former two *thanas* indigo planters form the bulk of the tenure-holders, and as they hold from numerous petty proprietors, the size of the holdings is naturally small. In Gogri, on the other hand, there is less subdivision of proprietary interests, and the tenure-holders are largely *thikadars* holding entire villages, in which the comparative cheapness and unproductiveness of the land tend to swell the size of the holdings, which they keep in their direct cultivation.

With the vesting of the estates all tenures have also vested in the State under the provisions of the Bihar Land Reforms Act, 1950.

RENT-FREE TENURES.

The most numerous rent-free tenures consist of religious grants, mostly of a small size. A considerable area is covered by maintenance grants made by proprietors to their relatives, and a small quantity of land is held under service tenures. There are also 87 *malikana* grants consisting of lands held rent-free in perpetuity by former proprietors, though few in number, their average area (nearly 10 acres) is considerable. All rent-free estates have vested in the State Government under the provisions of Bihar Land Reforms Act, 1950, and steps are being taken to assess rent on them.

RENT-PAYING TENURES.

The great majority of the rent-paying tenures are temporary. Less than one quarter are permanent tenures, and the area occupied by them is only 2 per cent of the total area and one-eighth of that occupied by temporary tenures. Of the latter most are farming leases, and nearly all the remainder are leases on *zarpeshgi*, i.e., usufructuary mortgages. A small minority are of a miscellaneous character, such as *satua patua*, under which both principal and interest are liquidated by the annual rent paid by the mortgagees. All such tenures have also vested in the State Government under the provisions of the Bihar Land Reforms Act, 1950.

INDIGO FACTORIES.

Indigo planters were the most numerous class of tenure-holders in this part of the district, holding, according to the settlement returns, 47,102 acres in *thanas* Teghra and Begusarai as temporary tenure-holders and under-tenure-holders, besides 9,912 acres as proprietors. Permanent tenures only cover 1,450 acres, and are mostly small areas leased from the proprietors or purchased from previous holders with the express object of providing a safe location for the factory buildings. Altogether the planters were interested as landlords in 13 per cent of the whole Begusarai subdivision.

The predominance of temporary tenures is very marked and is due to the fact that, until recent years, the average planter considered it more profitable to be a temporary lessee than a proprietor except, perhaps, of a share in a village or two adjoining the factory. "Temporary tenures", writes Mr. Coupland, "have been the planter's main stand-by. Native proprietors were, as a rule, only too ready to find some one who would pay them something more than the average rent roll of the village, and the planter by this means not only got a certain amount of land for indigo, i.e., the proprietors' *bakasht* lands for direct cultivation and some percentage (usually 5 per cent or *panchkathiya*) of the *raiya*'s holdings for cultivation either direct or through the tenant but he also acquired local influence and opportunities for securing labour. It was not to the planter's interest to enhance rents or harass the tenants in any way, and, hence, here as everywhere in Bihar, the indigo planter as *thikadar* has been, as a general rule, the most considerate of landlords."

TENURES IN SOUTH MONGHYR.

*Kharagpur Ghatwali Tenures.**

"In South Monghyr a number of estates were formerly on the *ghatwali* tenure especially in the Kharagpur estate. The origin and nature of these tenures have been described as follows in a judgment delivered by the Privy Council in 1855†. "The mountain or hill districts in India were inhabited by lawless tribes asserting a wild independence, often of a different race and different religion from the inhabitants of the plains, who were frequently subjected to marauding expeditions by their more warlike neighbours. To prevent these incursions it was necessary to guard and watch the *ghats*, or mountain passes, through which these hostile descents were made, and the Muhammadan rulers established a tenure, called *ghatwali* tenure, by which lands were granted to individuals, often a high rank, at a low rent, or without rent, on condition of their performing these duties, and protecting and preserving order in the neighbouring districts. Nothing could be more deplorable than the state of the province under this system. Murder and rapine were common throughout the country; more than half the lands were waste and uncultivated, and neither the *ryots* nor the Zamindars had any inducement to improve them, as any increase in their value had only the effect of increasing the Government assessment.

"It was considered by the East India Coy. that the first step towards a better system of Government and the amelioration of the condition of their subject would be to convert the zamindars into landlords, and to fix a permanent annual *jama* or assessment to the

* Quoted from the *District Gazetteer of Monghyr* (1926).

† Lilanand Singh *Vs.* Government of Bengal, Moore's Indian Appeals, Vol. VI. p. 101, etc.

Government according to the existing value, so as to leave to the land proprietors, the benefit of all subsequent improvements. Accordingly they determined to make the assessment in the first instance for a period of ten years, with a view to its being ultimately made permanent". After describing the decennial settlement, the judgment goes on to say that at this time Raja Kadir Ali was the Zamindar of Kharagpur "a considerable principality including many parganas", and that a very large quantity of land had been granted by his ancestors on the *ghatwali* tenure.

"The extent and particulars of these vast estates, and the nature of the *ghatwali* tenures, were well known to the Government of Bengal at the time when the settlement was made. Some years before, in consequence of disturbances which had taken place in the country during the time of Kadir Ali's father, the Government had found it necessary to interfere with a military force, and having displaced the then Raja and restored tranquility, had placed the zamindari under the charge of one of their own officers. Mr. Augustus Cleveland, who had the management of it up to the year 1781, about which time Kadir Ali (his father having died) was put into possession of the Raj. It appears that Mr. Cleveland, during the time that he was in charge of these estates, had granted no less than 87,084 *bighas* of land upon *ghatwali* tenure in conformity with the orders of Government. It appears from another evidence that the grants before Mr. Cleveland's time to the *ghatwals* reserved a payment of two annas per *bigha* as a fee or perquisite to the zamindar; that some *sanads* were granted unadvisedly by Mr. Cleveland without such reservation, but that he afterwards insisted on such payment being made to the Government while he was in charge on behalf of the Government and that all grants subsequently made by the Raja of Kharagpur contained the same reservation.

"In 1813 a report was made by the Collector of Bhagalpur to the Magistrate of Birbhum in answer to certain enquiries with respect to *ghatwali* lands in his district. The Collector states that the *ghatwali* lands in his district are of four kinds. First, the lands already referred to as granted by Mr. Cleveland. These he states to have been allotted in environs of the forests, at the foot of certain mountains to certain *ghatwals* and watchmen, in lieu of salaries, to attend to and guard the watch stations at the passes, and to patrol the precincts of the villages, that no mountaineers might be able to descend from those passes of the mountains to commit night attacks, to invade or assault, or to plunder money or cattle, or to create disturbance. The second class the report describes as 'the *ghatwals* attached to the Kharagpur estates, who pay a stipulated rate of rent of their lands and villages being bound to protect and guard the highways to watch the stations at the passes, to prevent disturbance being created by the mountaineers, thieves and highwaymen. They hold their lands in virtue of *sanads* granted by the zamindar of

Kharagpur except some who have received theirs from the former authorities'.

"The report then proceeds to state that when the zamindar, or Government authority, wishes to appoint a *ghatwal* to guard the frontiers of the villages, it is his duty to ascertain the produce of the villages, the quantity of *ghatwali* lands therein, and, deducting a certain rate in the ratio of the guards with the *ghatwals*, in lieu of wages, to fix a certain rent to be paid by the *ghatwals*. After mentioning other descriptions of *ghatwali* lands, he states his opinion that the *ghatwals* have no right of inheritance or proprietary interest in their lands, but hold right of possession as long as they perform the terms and conditions of their *sanads*. The report then states that at the time of the decennial settlement the *ghatwals* were not treated as independent *talukdars*, that no settlement was made with them, but that they were included in the settlement of the zamindar of whom their lands were held. In 1816, another report was made by the Collector of Bhagalpur, in which it is stated that the *ghatwals* pay a fixed rent to the Zamindar of Kharagpur, and continue under his control, direction and subjection, while the Raja is answerable to the Collector for the rents of the entire district of Kharagpur.

"Under the provisions of the decennial settlement, the Bengal Government, in 1790, assessed the whole of the zamindari of Kharagpur, including *ghatwali* lands, at a fixed *jama*. This settlement was made perpetual in 1796, under the Bengal Regulation I of 1793 at the same fixed *jama*. In 1838, the Government set up a claim to resume the *ghatwali* lands for the purpose of revenue assessment but the claim was dismissed, on the grounds that (1) the *ghatwali* lands were part of the zamindari of Kharagpur, were included in the permanent settlement and were covered by the *jama* assessed on that zamindari; and (2) lands held under *ghatwali* tenure were not liable to resumption under Regulation I of 1793.

"At the time this suit was instituted, the Kharagpur estate was still in possession of the Raja of Kharagpur, but it was sold up for arrears of land revenue in 1840 and purchased by Raja Bidyanand Singh, the grandfather of the present proprietors of the Banaili estate, and by Balnath Sahu, who next year transferred his interest to Bidyanand Singh. On his death, the suit was carried up to the Privy Council by his son and heir Raja Lilanand Singh. It was then decided that the Kharagpur *ghatwali* tenures are perpetual and hereditary grants of land, which cannot be resumed by Government. After this decision, the *ghatwali* tenures were restored and the Raja instituted suits to resume. Government, however, ruled in 1863 that the *ghatwali* services were still demanded from him and that, so long as Government demanded them, he could not resume the tenure. The Raja thereupon agreed to pay Rs. 10,000 a year in lieu of the services for which he was responsible, he being left to make what

arrangements the Courts would allow his *ghatwals*. When, however, he instituted suits in 1864, the Courts decided that although Government had dispensed with the *ghatwals'* services, the lands could not be resumed and that the *ghatwals* had permanent hereditary tenures at a fixed *jama* and could not be evicted except for misconduct*. On the other hand it was held in 1866, in another case, on a consideration of the terms of a lease under which a *ghatwal* held his lands, that the zamindar could resume them when the *ghatwali* services were no longer required†.

“There have been numerous other cases regarding the *ghatwali* tenures of Kharagpur, in which their legal incidents have been laid down. In one case it was decided the lands of the *ghatwals* are not capable of alienation by private sale or otherwise and are not liable to sale in execution of decrees, except with consent of the zamindar and his approval of the purchaser as a substitute for the outgoing *ghatwal*‡. In another case it was held (1) that a *ghatwali* tenure in Kharagpur is transferable, if the zamindar assents and accepts the transfer, which assent and acceptance may be presumed from the fact of the zamindar having made no objection to a transfer for a period of over 12 years, and (2) that in dealing with a *ghatwali* tenure the Court must have regard to the nature of the tenure itself, and to the rules of law laid down in regard to such tenures, and not to any particular school of law or the customs of any particular family, inasmuch as a *ghatwali*, being created for a specific purpose, has its own particular incidents and cannot be subject to any system of law effecting only a particular class or family. In the latter case it was pointed out that there is this difference between the *ghatwals* of Birbhum and those of Kharagpur that the former are appointed by Government, and the latter by the zamindar.**

“Most of the *ghatwali* tenures of Kharagpur have now been sold up by the proprietors of the Banaili Raj and let out on *mukarari* leases. A portion of village Mangrar in *pargana* Parbatpara is still held in *mukarari* by the descendants of the former *ghatwals* who retain the title of Thakur, but the other *mukararidars* are outsiders, lawyers of Bhagalpur, Baniyas of Jamui, etc.” With the vesting of all estates the tenures in question have also vested in State Government under the provisions of L. R. Act.

Chakai Ghatwāli Tenures.§

Originally the estates in *pargana* Chakai to the south were similarly held on *ghatwali* tenure. About 1774 the lawless state of this tract led

* Manoranjan Singh *Vs.* Lilanand Singh (3, W. R., 84).

† Lilanand Singh *Vs.* Sarwan Singh (5 W. R. 292).

‡ Lilanand Singh *Vs.* Durgabati, W. R. Sp. no. 1864, 249, Guman Singh, *Vs.* Grant, II W. R. 292.

** Ananda Rai *Vs.* Kali Prasad Singh (I. L. R. 10 Calc. 677, S. C., 15, Calc. 471).

§ Quoted from the *District Gazetteer of Monghyr* (1926).

the British to place it in charge of Captain James Browne, who settled the estates with the *ghatwals* with two exceptions. These two exceptions were Dumri and Mahesri which were settled directly with the proprietors, the story being that the *ghatwali* tenure-holders fled at the approach of Captain Browne, their reputation as dacoits and brigands being too strong for them to face a Government officer without fear of the consequences. In the case of Dumri, however, the *ghatwals*, finding that in their absence a settlement had been made of their tenure, returned and obtained a *sanad* settling with them under the Raja of Gidhaur. Of the estates settled with *ghatwals*, only two are now held by their descendants, viz., Tilwa and Kewal. The others had passed into the hands of the Maharaja of Gidhaur, Chetru Rai, Akleswar Prasad and others of Rohini."

With the vesting of all estates in the State Government all such tenures have since vested in the State Government.

*Ghatwali Mukararis.**

"The ruin of the *ghatwals* of Chakai was attributed to their improvement system of management and to their family customs. Generally, the eldest male member in the nearest line of descent succeeds to the *gadi*, as it is called, though occasionally the widow of a proprietor has been allowed to hold as Thakurain. Other members of the family are provided for by *mukarari* grants called *babuana*, which are generally inherited by the descendants of the original grantee, though they originally were meant for the support of the grantee during his life time only; a *mukarari* which terminates with the life of the grantee is known as *hinhayati*. In addition to *mukararis* granted to members of the family, the *ghatwals* used to lease out large areas of jungle land in perpetual *mukarari*, at a nominal rental, for the extension of cultivation. Numerous rent-free grants were also made as service and religious tenures on the slightest grounds. The proprietors' rent-roll thus stood little chance of increasing, while their expenditure was in excess of their income. They consequently got deeply into debt, and had to mortgage their estates, which were subsequently sold up in liquidation of the debts and purchased by the mortgagees. The *mukarari* tenures granted by them have in most cases passed into the hands of the new landlords, either by purchase or by forcible resumption, and in Chakai not many had survived."

With the vesting of estates in State Government Chakai *mukararis* are no longer in existence.

THIKA SYSTEM.**

Another interesting class of land tenures was that known as the *thika* or *mustajiri*, which was common in the Jamui subdivision.

* *District Gazetteer of Monghyr* (1926).

** *Ibid.*

Here few villages were held directly under the proprietor. The majority were held by *thikadars* or *mustajirs*, who, in the more highly cultivated village of Jamui *thana*, were mere farmers, of rent. "They make their profit, for the most part, out of the cultivation of lands which they hold by virtue of their position as *thikadars*, but in the more or less *jungly* villages, which make up the greater part of the subdivisions, they have a status which it is often difficult to define. In the course of the settlement proceedings, these *thikadars* have been divided into three classes. (1) First, there is the ordinary farmer, an outsider pure and simple, who takes on *thika* a village with which he has no previous connection, with the object of collecting rents and making a profit out of the margin between his collections and the amount payable under the lease. Persons of this class are being recorded *ijaradars*. (2) There is next the case where the proprietor has given a *thika* lease to a person, who prior to the execution of the lease, was a *raiyat* of the village and had occupancy rights in his lands. He is also being recorded as an *ijaradar*, but the lands in which he had previously acquired occupancy rights are recorded as his occupancy lands. (3) The third kind of the *thikadar* is the person who originally received from the proprietor a reclamation lease for the village, *tola* or *chak* in question. In some instances the original lease is still extant, and is called a *chakband* lease. It defines by boundaries the area within which the lessee has the right to reclaim and the original rent fixed. In a few cases that rent has not been changed to the present day, but in the majority of cases there have been frequent enhancements of rent. Such enhancements have often been accompanied by the execution of new *thika* leases or *miadi kabuliyats* for periods usually of seven years. The original lease is not produceable in many cases, but from the history and circumstances of the village or *chak* it may generally be inferred without any doubt that such a lease did exist, or that the predecessor in interest of the present *thikadar*, began his connection with the tenancy on a verbal agreement which had the same effect as a *chakband* lease. These cases are being dealt with under the relevant provisions of the Tenancy Act. For instance, if the present holder can show that the lands within the tenancy now in his own occupation were reclaimed by himself or by his predecessors in interest, the presumption will be that he is a *raiyat* for the whole area. If it appears that the original lessee at once sublet the whole or most of it to other persons introduced by him for purposes of reclamation, and that the lands, if any, held by him were originally reclaimed by others, it may be presumed that the present lessee is a tenure-holder. In the great majority of cases, however, the terms of the Bengal Tenancy Act, read in the light of the facts, necessitate the conclusion that the tenancy is *raiyati*.

"The following account of the *thika* system is extracted from a note contributed by the Settlement Officer: "The system originated in the grant of a tract of jungle land for the purpose of reclamation

to some *raiyat*, who generally belonged to one of the aboriginal tribes, such as the Santals, Naiyas or Bhuiyas. The first lease was granted on a very low rent to be paid for a term of years, generally seven years. The original lessee, with the members of his family and some fellow castemen as partners, built their huts on the land and subsisting at first mainly on *mahua* and other produce of the jungle commenced to clear the forest, dam up streams, and carve their beds and banks into fields. With the gradual increase of cultivation the rent was enhanced at the end of every septennial period, not on any accurate computation of the amount of cultivation, but probably after a certain amount of haggling between landlord and tenant as to what the latter could now afford to pay.

“The original reclaimer and his descendants have in many cases disappeared from the village and a new *thikadar*, who was brought in as a cultivator by the first, reigns in his place. He still lets out for cultivation such lands as remain fit for reclamation, and generally conducts the agricultural administration of the villages; but the principal object of his existence is no longer to turn the jungle into fields for his own profit and that of the zamindar but to act as a medium between the zamindar and the *ryots* of the *tola*, whereby the former may be able to realise his rents with the least possible difficulty. The zamindar deals only with the *thikadar*, on whose shoulders falls all the burden, if he cannot realise from the *ryots* the full amount of their rent. Where the *thikadar* is still merely an ignorant *ryot* of the village promoted to be rent collector, he frequently has no voice in the assessment of rents on the various holdings in the village. His own rent is increased every five or seven years according to his agreement generally verbal, with the proprietor and he gets a *hukumnama* from the proprietor to increase the rents of the *ryots* by a certain proportion so as to make up the increase in his *thika* rent. In many *tolas*, where there is no longer a scope for reclamation, the *thikadar* is an outsider, frequently a servant of the zamindar, who is allowed a small profit on the amount which he realises from the *ryots*. The same septennial increase is taken in these cases also; but sometimes a *tola* is met with where the limit of increase has long ago been reached.

“Where the *thika* system exists for actual reclamation purposes, it is, or would be, if properly managed, the best possible. The *thikadar* is directly interested in developing the agricultural resources of his village as fast and as far as possible, because he gets for his own profit the rent that he can realise from the lands cultivated within each period of settlement. Even in this case, however, the system is liable to abuse through careless management, for the landlord takes no accurate account, at the end of each period of lease, of the amount of land actually brought under cultivation during the period but increases the rent by mere guess-work. The result is that the rent goes on increasing arbitrarily even long after the maximum of

cultivation is reached. If the cultivators are Santals, they stand this up to a certain point, till they think that their profits are less than they can make in some new areas, when they depart, leaving the results of their labours to Goalas, Babhans, Modis and others. Where the limit of reclamation has been reached as far as is possible with the means and capital at the disposal of the *thikadar* and *ryot*, or where the settlement is one for the farming of the rents merely, the *thika* system is bad in every way. The periodical demands for increased rent lead to bad feeling between the proprietor and tenants. The burden of the increase tends to fall more and more on the low caste *ryots* who cannot resist the *thikadar's* demands, as the higher caste Babhans and Rajputs do. In consequence the incidence of the rents on these tenants becomes so great that the failure of the crops in any year drives them to borrowing first on the security of their cattle and household goods, then on that of their holdings, which pass in a very few years into the hands of the Modis and Babhans, who have superior resisting power and outside sources of income.

“Further, in its extremest form, the *thika* system is a system of bleeding. The temporary farmer cares for nothing but to get as much profit as he can out of the village during the term of his lease. He will not make any outlay on improvements because his period is too short for him to expect any adequate return; and he cannot be at all certain that he will be able to get the lease for a succeeding term. The *ryots* themselves have to pay rents too high to allow them to expend any money even on the upkeep of such irrigation works as exist and the *thikadar* will not assist them. Consequently, not only is there no development of the resources of the village by form of irrigation works, which are absolutely necessary for the security of crops in the area, but such tanks and *ahars* as do exist are allowed to fall into disrepair and to silt up. In fact, the *thikadar* prefers that they should silt up because he can then annex their beds to his own *bakasht* land and grow excellent *rabi* crops of wheat and barley on them. The practical result of the purely farming system is thus to decrease the quantity and quality of cultivation in the village rather than to increase it, and to throw a more and more heavy burden on the shoulders of the *ryots*, whose rents increase while their crops diminish, and who have no one to whom they can turn for assistance.”

Since the vesting of estates in State Government *thika* system does not exist and all such tenures have vested in State Government under the provisions of the Bihar Land Reforms Act.

RENT-FREE TENURES.*

“The largest revenue-free tenure in the district is the Abhaipur *pargana* held by the *khankah* or monastery at Maulanagar, the grant of which was confirmed by a *sanad* of Council, dated 9th February,

* Quoted from the *District Gazetteer of Monghyr* (1926).

1786. The proceeds of the estate are intended for feeding travellers and beggars, keeping up a school and mosque, and also for the personal expenses of the endowed family. Generally, however, rent-free tenures in South Monghyr are of a petty nature and of several kinds such as *sivattar*, *brahmottar*, *devottar*, *bhatottar*, *jagir*, *bakasht lakhiraj*. In the Chakai *pargana* a number of these tenures were created by *ghatwals*, often on trifling grounds. For instance a Brahman recited a chapter of the Ramlila on an auspicious Tuesday and he was given 2 *bighas* of rice land as *brahmottar*; another acted as priest in a *Satnarain katha* and was given 3 *bighas*. Such grants are mostly of recent origin, the *sanads* being from 30 to 60 years old. Some of the latter contain terrible imprecations on any of the successors of the donor who may interfere with the grant. *Bhatottar* tenures were similarly created by the *ghatwal*, each of whom had his *bhat* or *jongleur*. These men who seem to have a hereditary genius for composing extempore adulatory verses, served as the chroniclers of the *ghatwals'* geneology. Many *jagirs* or service tenures also owed their origin to the *ghatwal* who hardly ever paid any body in cash, but had his drummer, his bugler, his pottar, his carpenter, his *paik*, and his *barkandaz*, his *barbar* and his *dhobi*, as well as his hereditary priest. All these were paid in *jagir*, and most of the *jagirs* have been left untouched by the present proprietors."

Such tenures have not vested in State Government under the provisions of Bihar Land Reforms Act and steps are being taken to assess rent.

*Baksh.**

"*Baksh* grants are another curious kind of tenure, which was common in the *ghatwali* estates. It is reported that it was considered necessary for the dignity of a *ghatwal* chief to keep a number of mistresses and their children were generally maintained by means of rent-free *baksh* grants, *baksh* being the root of the Persian verb *bakshidan*, 'to grant'. Some of these illegitimate children exercised considerable influence, and several *sanads* by which they made *brahmottar* and *sivottar* grants are still in existence. Again *baksh* grants were made to the *patwaris*, *diwans* and other Kayastha employees of the *ghatwal*. For instance a Kayastha of Kiwa was engaged as tutor to a son of a *ghatwal*. After 2½ months it was found that the boy had become wondrously learned, and a *baksh* of 40 *bighas* of land was immediately given to the tutor."

With the vesting of estates in State Government, such *baksh* no longer exists and steps are being taken for assessment of rent under the provisions of Bihar Land Reforms Act, 1950.

RAIYATS' HOLDINGS.

The great mass of the tenants are settled and occupancy *raiyats*. In north Monghyr the number of holdings of this class is 2,82,332

* Quoted from the *District Gazetteer of Monghyr* (1926).

or more than 89 per cent of the total number of occupied holdings; and over 81 per cent of the occupied area is held by tenants with occupancy rights. The average size of a holding, i.e., the area held by tenants under a single landlord, is nearly $2\frac{1}{4}$ acres. It is least in Teghra and Begusarai which are the domain of petty landlords and of subdivision of proprietary interest. It is greatest in Gogri, which is, generally speaking, owned at comparatively big proprietors. Barely one in 500 holdings has been recorded as held by *raiyyats* at fixed rents or rates of rent, and only 1,871 acres are so held. Non-occupancy holdings account for over 3 per cent of the total number of holdings and average nearly $3\frac{1}{2}$ acres in size. Rent-free *raiyyats* hold 2 per cent of the holdings with an average area of $1\frac{1}{2}$ acres, while under-*raiyyats* hold nearly 6 per cent, the average area of their holding being only of one acre. Many of the under-*raiyyats* are as elsewhere, servants of the actual tenants and in lieu of, or in addition to, wages get a small part of the superior tenants' holding on which to build a house, and cultivate a small area attached thereto on their own behalf.

A certain number of under-*raiyyats* consist of indigo planters holding under the *kurtauli* system, by which the factory in consideration of an advance equivalent to several years' rent and interest is allowed to cultivate a portion of the tenant's holding* for a limited period.

The indigo planters left this district long ago and hence their rights have ceased in existence. There is no *kurtauli* system in vogue now.

CHAKBAND SYSTEM.*

"In the Jamui subdivision a number of *raiyyats* hold under the *chakband* system, which is analogous to the system of *thika* leases granted for the purposes of reclamation, a *chak* of land being leased out to whoever wished to reclaim it on a lump rental for a term of years. At the time of the revenue survey of 1847, it may be explained, the jungle was much more continuous and extensive than it is now, and large tracts of land forming one estate, but comprising numerous *bastis* scattered throughout the jungle, were surveyed as one village. These revenue survey villages are now divided up into numerous villages known locally as *mauzas*, *tolas*, and *kitas*. The *mauza* is the traditional site of the original jungle village, and the *tolas* and *kitas* are more recently reclaimed portions of the jungles, which were recognised as appertaining to the old *mauzas*. The areas included in these *tolas* and *kitas* were originally granted in *thika* lease for reclamation purposes to various *raiyyats*. It frequently happened, however, that the original reclaiming *thikadar*, finding that he had more land than he could reclaim himself, and not wishing to take the trouble of actively supervising the process of reclamation as carried on by his partners and under-*raiyyats*, would grant to one or more

* Quoted from the *District Gazetteer of Monghyr* (1926).

*raiya*t portion of the village, defined by certain boundaries, as *chakband* holdings. These were generally not larger than could be conveniently reclaimed by one family; and consequently they have preserved their original character intact. Sometimes, however, the *chakbands* were large areas, beyond the power of one family to cultivate which were, therefore, developed by the help of co-sharers and under-*raiya*ts.

“Such comparatively large *chakband* leases are generally known as *Katkana* leases, which simply implies that the lessees are subordinate to the *thikadar*. It is reported that in the villages of *taluk* Mallepur in *pargana* Parbatta, belonging to the Banaili Raj, these *chakbands* have come to imply a species of *mukarari* interest vested in the original settler and his descendants. This is said to be accidental, being due apparently to the fact that the Raj has not increased the rents of its tenants for several generations and in no other part of the subdivision do these *chakbands* imply any special rights as regards fixity of rent or security of tenure beyond the ordinary incidents of a *raiya*ti holding. A *chakband* in Mallepur can change hands in its entirety by sale, provided the purchaser obtains the permission of the Raj; but when it comes into the hands of the *malik* through sale for arrears of rent, its *chakband* character is broken and it is measured and settled anew as *kurokar* land, i.e., measured, from *kuroh* meaning a *bigha*. Elsewhere in the subdivision, in *parganas* Gidhaur and Chakai, an ordinary *raiya*ti *jot*, as distinguished from a *chakband* is *phutkar jot*, i.e., broken or composed of scattered plots.

“The history of the way in which rents are assessed on such holdings is interesting. Cases have been met with in *ghatwali* villages of Chakai which show that the rent first fixed for many of these *chakbands* was to be paid in perpetuity, but scarcely any of these *mukarari* leases have survived the efforts or the more modern proprietors to increase their rent roll, as the cultivation of their estates increases in extent. The great majority were leased out with an implied condition that the rent would be increased at the expiry of the term fixed in the *patta*, if the cultivation within the *chak* has extended to a degree sufficient to bear the increase. In assessing the new rent at the end of the term of lease, however, no proper estimate of the capabilities of the land reclaimed within the period was or is made. If the amount fixed left the lessee what he considered a fair amount to live on, he acquiesced. If he thought it was too high, he protested and generally got the amount reduced. The proprietor could not afford to be too highhanded in his assessment, while there was much jungle land lying ready for reclamation; for the *raiya*ti, who was generally an independent aboriginal, would think it little hardship to leave a zamindari where he was too harshly dealt with, and pitch his hut in the forest territory of some more lenient landlord. This independence of the Santal and other aboriginal tribes is one reason why they gave away, after reclamation has reached

a certain pitch, to Hindu cultivators, who will cheerfully pay a much higher rent than the Santal and still keep clear of debt. It is probably that at one time the whole area was held on such progressive lump rentals. Even in the highly cultivated villages near Jamui, *chaks* still exist which have come down in the family of one *raiyat* for generations, but generally they have long ago become *phutkar jots*, and rent is paid, or is claimed, on a classification of the fields."

Chakbands are also a rent tenure and they are no longer in existence after the vesting of estates under the provisions of Bihar Land Reforms Act.

*Alagi Jots.**

"A form of holding arising from the comparative infertility of the tenure lands of the southern area is known as *alagi jama*, i.e., a separate *jama*. This consists of lands outside the proper holding of the *raiyat*, which he has a right, obtained from the proprietor, to cultivate on condition of paying a rent at the rate of four to ten annas per *bigha* only for the year in which he cultivates them. Those lands produce a scanty crop of *kodo* or *kulthi* once every three or four years, and are allowed to lie fallow, bearing no rent for two or three years between each crop."

This system is no longer in vogue due to abolition of zamindaris under the provisions of the Bihar Land Reforms Act, 1950.

*Thika Arazi Kamat.***

"Another form of tenure, which some proprietors have endeavoured to introduce contrary to the provisions of the Bengal Tenancy Act, is locally known as *thika arazi kamat*. This consists of land formerly held by *raiyats* which has come into the proprietor's hands either by the departure of the cultivator or by purchase in a sale for arrears of rent. This land is settled, either with the new *raiyats* or with the *thikadar* of the village, for a term of 7 to 11 years, the lease specifying that it is *kamat* land which the lessee must cultivate himself and never sublet, and that the lessee is to have no rights to the land at the end of the period of lease beyond what may be granted by the proprietor on a renewal of the *patta*. It has been generally found during the course of the present settlement that where such lands have been settled with *raiyats*, they have occupancy rights in them, either having continued to cultivate for over 12 years or being originally settled *raiyats* of the village, that where such lands have been settled with *thikadars*, they have been unable to cultivate them themselves and have sublet them to *raiyats* without the knowledge of the proprietors and that these *raiyats* have also in generally acquired occupancy rights over the land."

This sort of tenure is also no longer in existence after the vesting of all estates and tenures in the State Government under the provisions of the Bihar Land Reforms Act, 1950.

* Quoted from the *District Gazetteer of Monghyr* (1926).

** *Ibid.*