

LAND REFORM AND PEASANT RESISTANCE IN BIHAR  
A STUDY OF MUZAFFARPUR DISTRICT, 1929-2000

*A Dissertation Submitted to Jawaharlal Nehru University  
In partial fulfilment of the requirements  
For the award of the Degree of*

MASTER OF PHILOSOPHY

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Date: July 17, 2017

### Declaration

I declare that the dissertation entitled, **Land Reform and Peasant Resistance in Bihar: A Study of Muzaffarpur District, 1929-2000**, submitted by me in partial fulfillment of the requirements for the award of the degree of Master of Philosophy from Jawaharlal Nehru University is my own work. The dissertation has not been submitted for any other degree of this University or any other university.



Jitendra Kumar

### Certificate

We recommend that the dissertation be place before the examiners for evaluation.



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*For*

*My Mummy and Papa*

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*New Delhi  
July 17, 2017*

*Jitendra Kumar*

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# BIHAR POLITICAL MAP



UTTAR  
PRADESH

B  
D

Bhabhua  
Bhabhua

	State Capital
	District Headquarters
	State Boundary
	International Boundary



PASCHIM  
CHAMPARAN

Bettiah

GOPALGANJ

Gopalgan

Siwan

SIWAN

SARAH

BUXAR

Buxar

ROHTAS

Sasaram

AURANGABAD

Aurangabad

GAYA

Gaya

NAWADA

Nawada

Motihari

PURBA  
CHAMPARAN

Muzaffarpur

MUZAFFARPUR

Chhapra

HAJIPUR

Ara

PATNA

Patna

JAHANABAD

Jahanabad

HALANDA

Bihar

SHARIF

Sharif

SITAMARHI

Sitamarhi

SITAMARHI

Sitamarhi

MADHUBANI

Madhubani

Darbhanga

DARBHANGA

SAMASTIPUR

Samastipur

BEGUSARAI

Begusarai

LUCKEESARAI

Luckeesarai

SHEKHUPURA

Shekhupura

JAMUI

Jamui

MADHUBANI

Madhubani

SUPALU

Supalu

MADHEPURA

Madhepura

SAHARSA

KOSHI

MADHEPURA

BEGUSARAI

Begusarai

MUNGER

Munger

BHAGALPUR

Bhagalpur

BANKA

Banka

MADHUBANI

Madhubani

SUPALU

Supalu

MADHEPURA

Madhepura

SAHARSA

KOSHI

MADHEPURA

BEGUSARAI

Begusarai

MUNGER

Munger

BHAGALPUR

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Banka

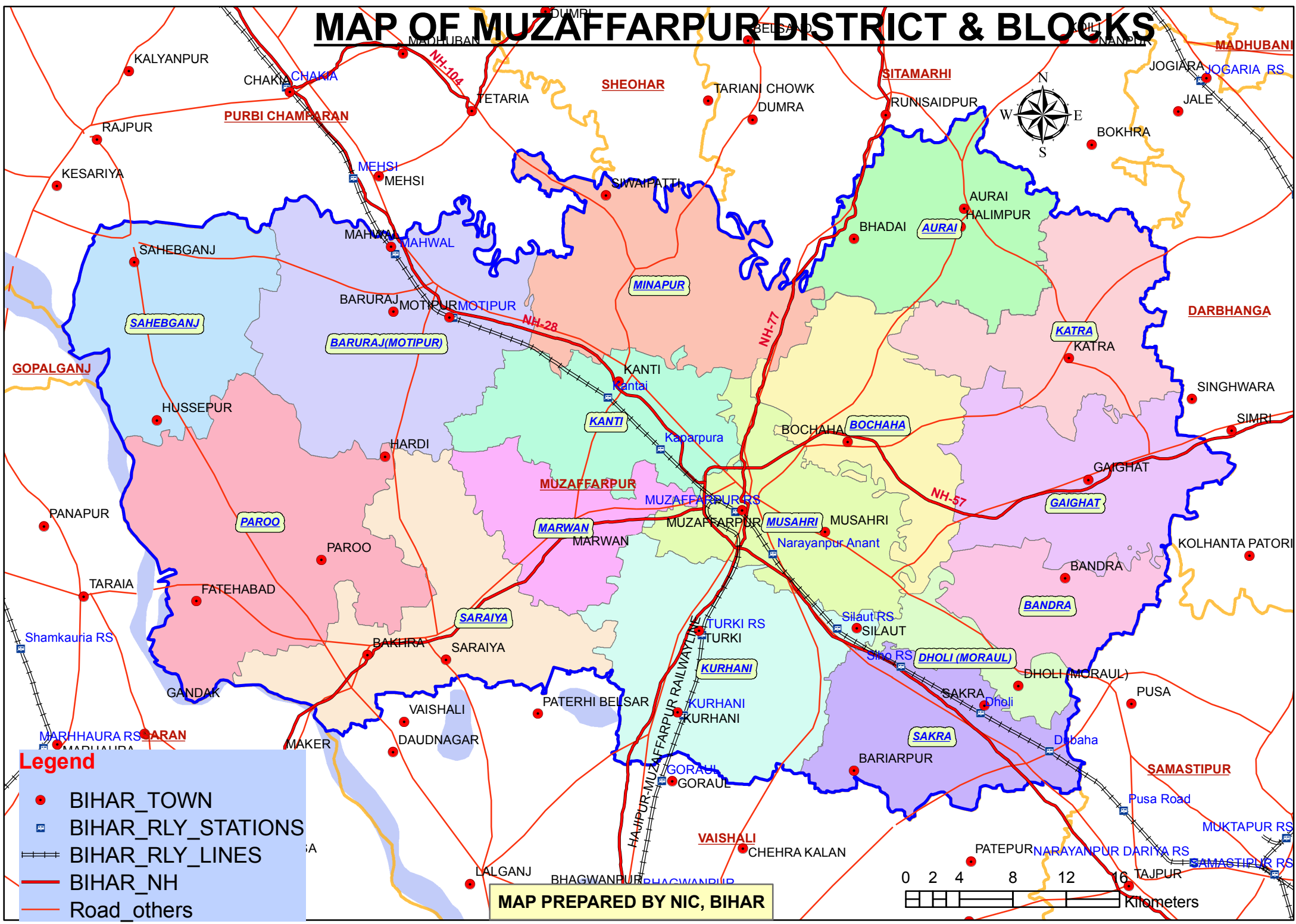
WEST  
BENGAL

JHARKHAND

NEPAL

BANGLADESH

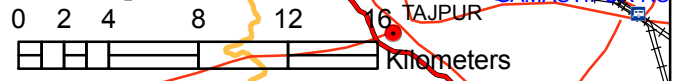
# MAP OF MUZAFFARPUR DISTRICT & BLOCKS



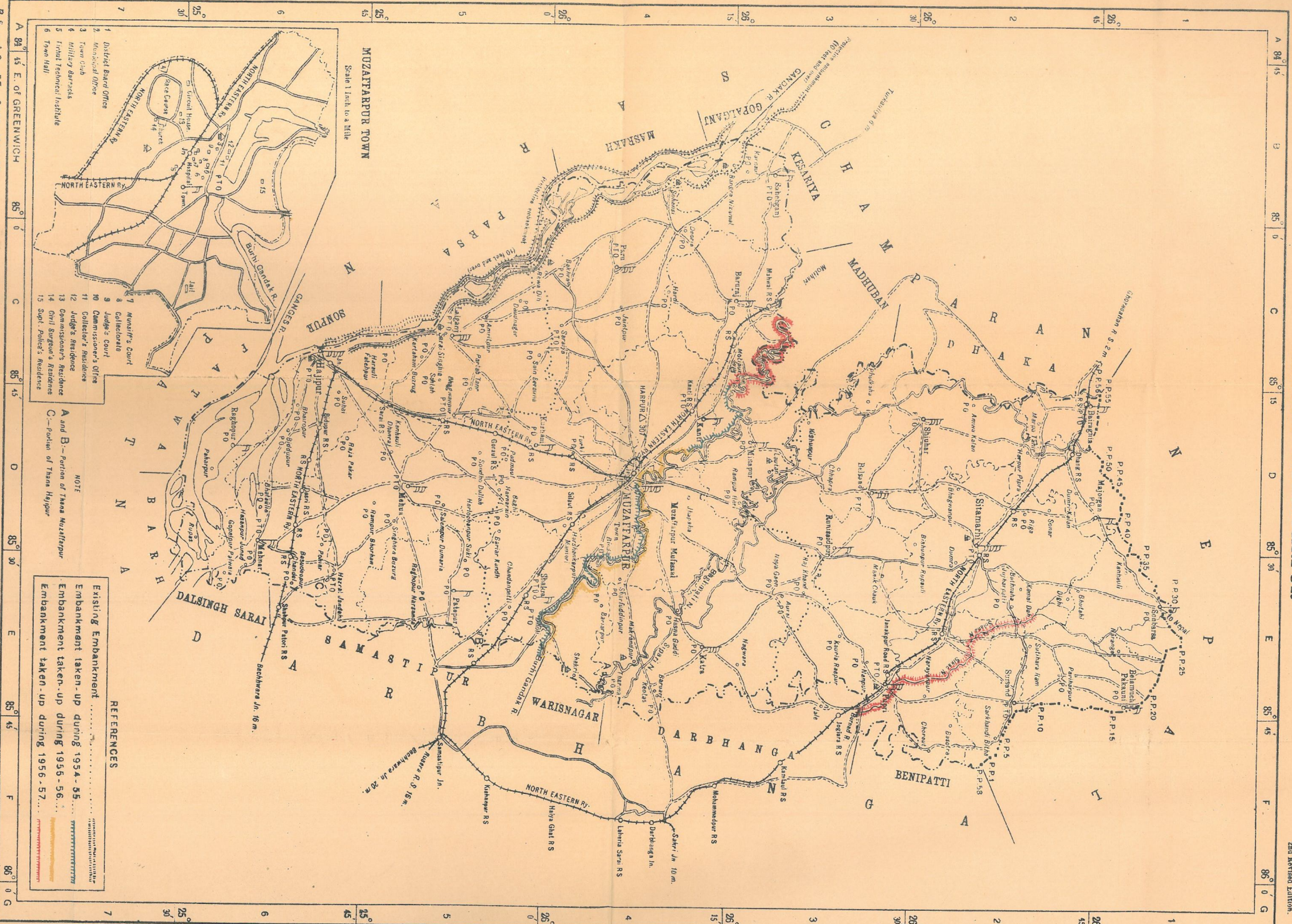
**Legend**

- BIHAR\_TOWN
- BIHAR\_RLY\_STATIONS
- ══ BIHAR\_RLY\_LINES
- BIHAR\_NH
- Road\_others

MAP PREPARED BY NIC, BIHAR







MUZAFFARPUR TOWN  
Scale 1 Inch to a Mile

- 1 District Board Office
- 2 Municipal Office
- 3 Town Club
- 4 Military barracks
- 5 Tribal Technical Institute
- 6 Town Hall
- 7 Muzaffar's Court
- 8 Collectorate
- 9 Judge's Court
- 10 Commissioner's Office
- 11 Collector's Residence
- 12 Judge's Residence
- 13 Commissioner's Residence
- 14 Civil Surgeon's Residence
- 15 Supt. Police's Residence

NOTE

A and B—Portion of Thana Muzaffarpur  
C—Portion of Thana Hajipur

REFERENCES

- Existing Embankment .....
- Embankment taken-up during 1954-55 .....
- Embankment taken-up during 1955-56 .....
- Embankment taken-up during 1956-57 .....

B.S. - J. B. - 55 - 2000 - MAR. 59.

COMPILED & SINCORPORATED IN THE BIHAR SURVEY OFFICE SUZARBANAH, PATNA IN 1961

COPIES OBTAINABLE FROM THE BIHAR SURVEY OFFICE, SUZARBANAH, PATNA.

Boundary—District or State with Bihar

da Subdivision

de Thana

db Police Station

Miles 5 4 3 2 1 0

Scale 1 Inch to 8 Miles or 1:506,880.

5 10 15 20 Miles

Area 3000-43 sq. miles

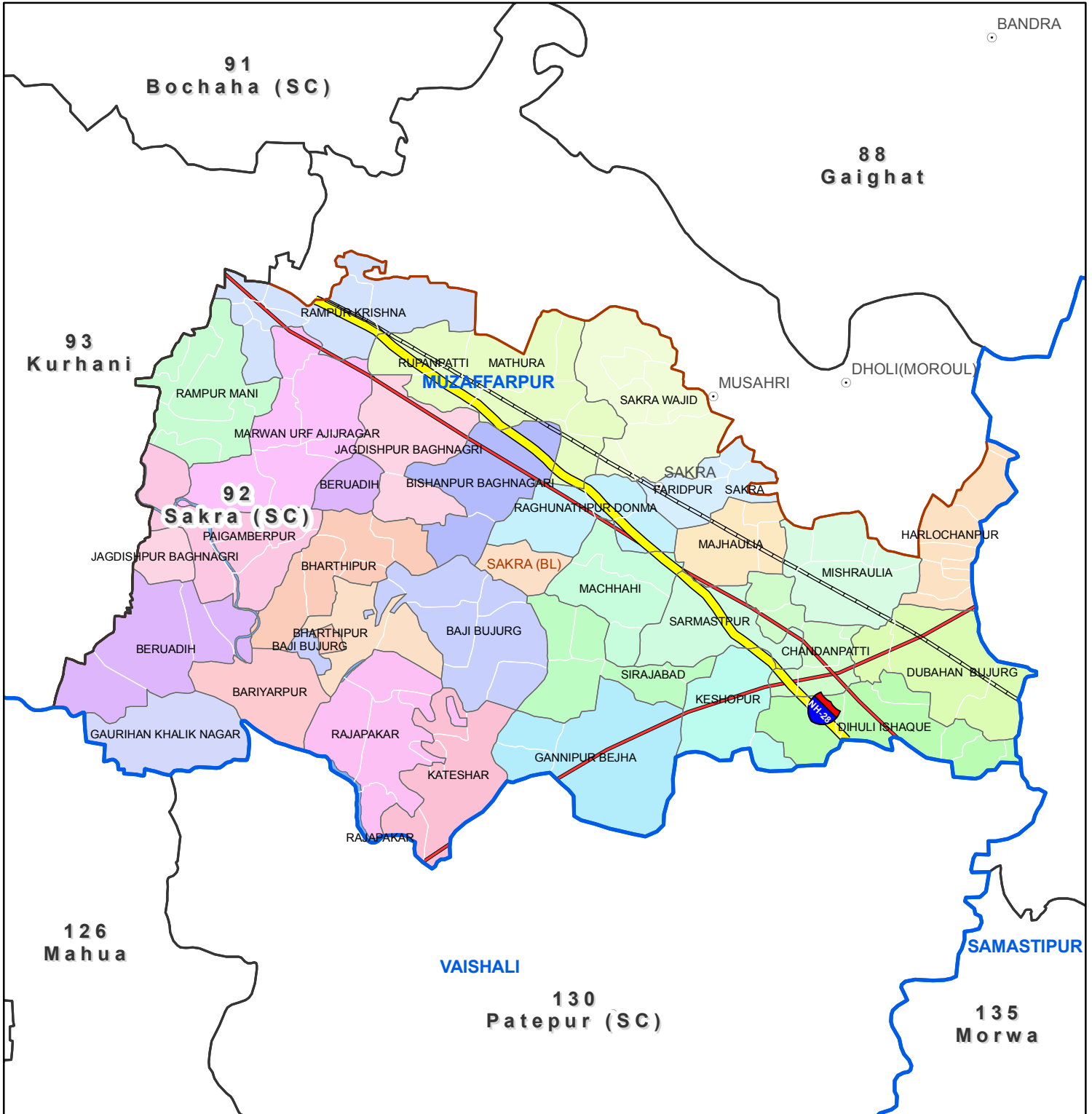
Main road—Metalled, Unmetalled

Bungalow—Dak, Inspector

Head Quarters—Subdivision, Thana, Police Station.



Block map  
 State : BIHAR  
 District : MUZAFFARPUR  
 Block Name : SAKRA



0 0.5 1 2  
 Kilometers



Map Compiled by NIC

**Legend**

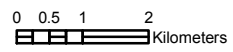
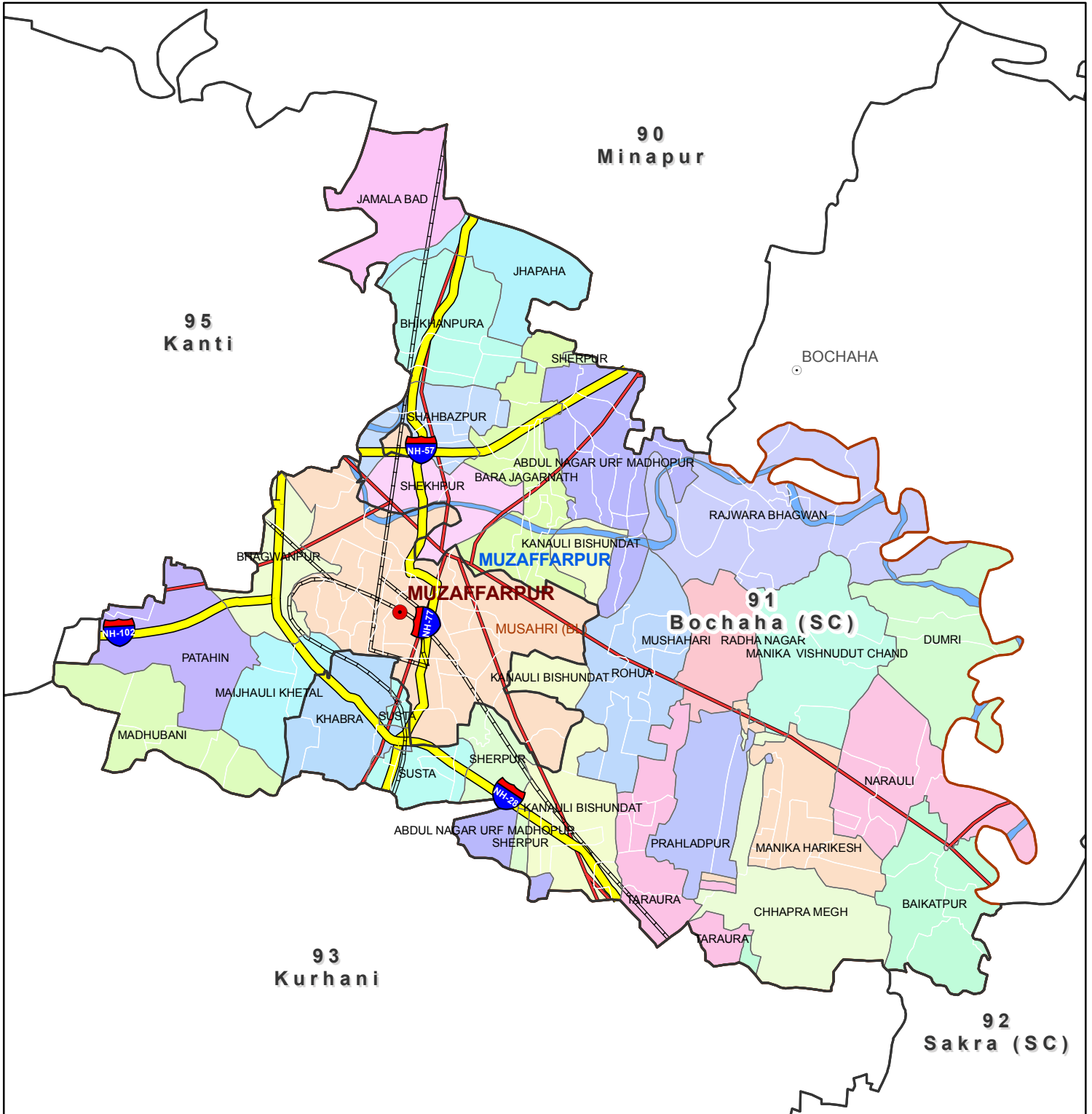
District Head Quarters	AC Boundary	Railway
Sub district hqrs	Block boundary	National Highway
District Boundary	Panchayat Boundary	Other road
State Boundary	Village boundary	River

# Block map

State : BIHAR

District : MUZAFFARPUR

Block Name : MUSAHRI

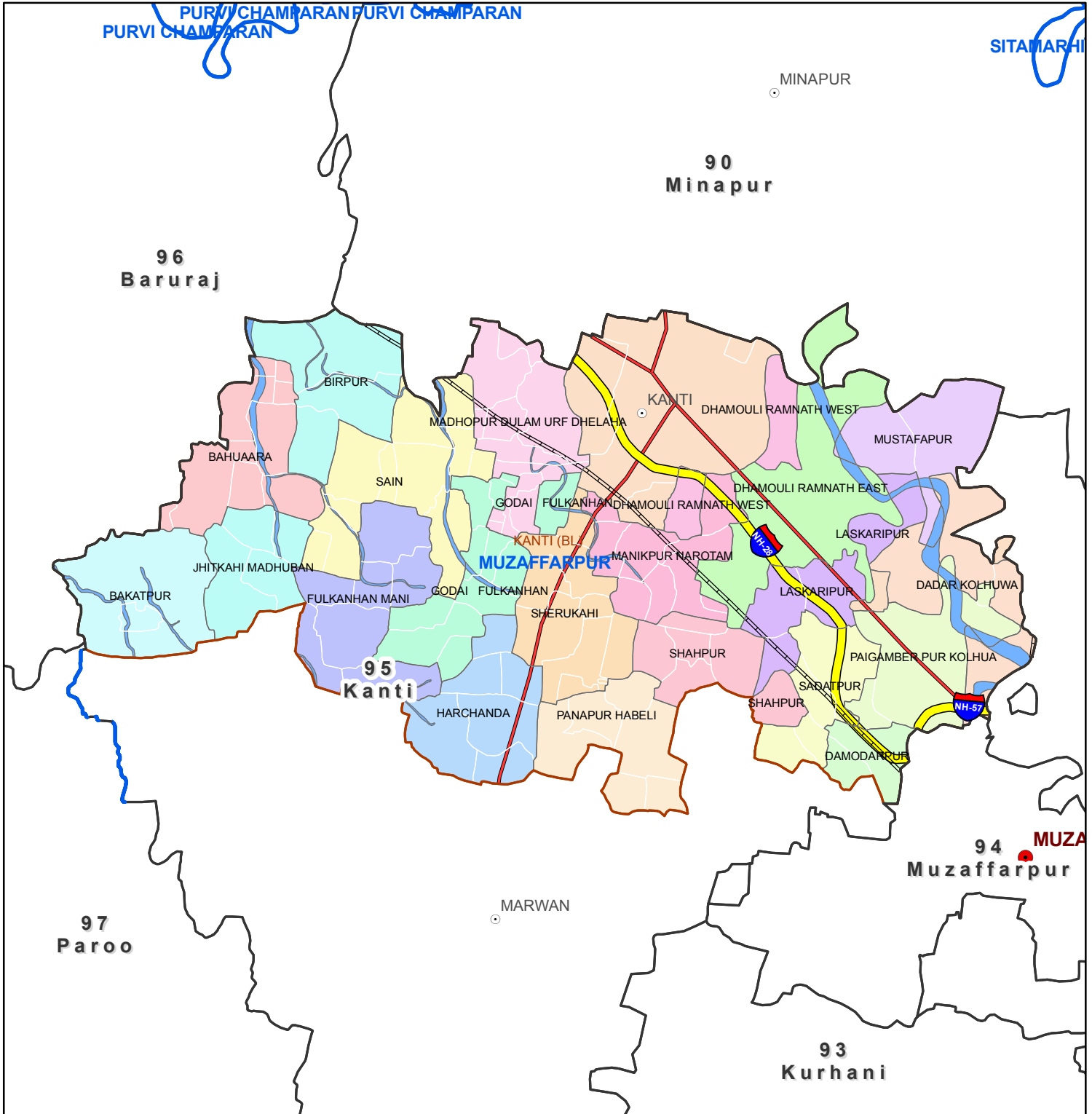


Map Compiled by NIC

## Legend

- |                        |                    |                  |
|------------------------|--------------------|------------------|
| District Head Quarters | AC Boundary        | Railway          |
| Sub district hqrs      | Block boundary     | National Highway |
| District Boundary      | Panchayat Boundary | Other road       |
| State Boundary         | Village boundary   | River            |

Block map  
 State : BIHAR  
 District : MUZAFFARPUR  
 Block Name : KANTI



0 0.5 1 2  
 Kilometers



Map Compiled by NIC

**Legend**

- |  |  |   |
|--|--|---|
| <span style="color: red;">●</span> District Head Quarters  | <span style="border: 1px solid black; display: inline-block; width: 20px; height: 10px;"></span> AC Boundary       | <span style="border-bottom: 1px solid black; width: 20px; display: inline-block;"></span> Railway           |
| <span style="border: 1px solid black; border-radius: 50%; width: 10px; height: 10px; display: inline-block;"></span> Sub district hqrs | <span style="border: 2px solid orange; display: inline-block; width: 20px; height: 10px;"></span> Block boundary   | <span style="border-bottom: 3px solid yellow; width: 20px; display: inline-block;"></span> National Highway |
| <span style="border: 2px solid blue; display: inline-block; width: 20px; height: 10px;"></span> District Boundary                      | <span style="border: 1px solid grey; display: inline-block; width: 20px; height: 10px;"></span> Panchayat Boundary | <span style="border-bottom: 1px solid red; width: 20px; display: inline-block;"></span> Other road          |
| <span style="border: 2px dashed grey; display: inline-block; width: 20px; height: 10px;"></span> State Boundary                        | <span style="border: 1px solid grey; display: inline-block; width: 20px; height: 10px;"></span> Village boundary   | <span style="background-color: blue; width: 20px; height: 10px; display: inline-block;"></span> River       |

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## **List of Abbreviations**

AC	Additional Collector, Land Reform Department
AICC	All India Congress Committee
AIKS	All India Kisan Sabha
ANSISS	Anugrah Narayan Sinha Institute of Social Studies
BLA	Bihar Legislative Assembly
BLA	Bihar Landholders' Association
BPCC	Bihar Provincial Congress Committee
BPKS	Bihar Provincial Kisan Sabha
BPPHT	Bihar Privileged Persons Homestead Tenancy Act
BPS	Baidnath Prasad Singh Case
CO	Circle Officer
CPI	Communist Party of India
CPI (M)	Communist Party of India (Marxist)
CPI (ML)	Communist Party of India (Marxist-Leninist)
CSP	Congress Socialist Party
CWJC	Civil Writ Judgment
DCLR	Deputy Collector Land Reform
DDC	District Congress Committee
DM	District Magistrate
FB	Forward Bloc
G3S	Gram Swawlambi Swadeshi Swaraj Foundation
ICHR	Indian Council of Historical Research
INC	Indian National Congress
IPC	Indian Penal Code
JKD	Jan Kranti Dal
JKS	Jharkhand Kisan Sabha
JNU	Jawaharlal Nehru University
KKMS	Khetihar Kisan Mazdoor Sangh
LRD	Land Revenue Department, Muzaffarpur District
NAI	National Archives of India
NMML	Nehru Memorial Museum and Library
PSP	Praja Socialist Party
PUDR	People's Union for Democratic Right
RDP	Radical Democratic Party
SSP	Samyukta Socialist Party
WEM	Water Extraction Machine

## Glossary

Abwab	An Illegal imposition on the tenants by the landlords
Adivasi	Tribal
Amil	Rent or Revenue Collector
Anchal	A block level unit of Land Revenue
Anna	Transaction value equal to 16 <sup>th</sup> part of Rupee or 1/16 Rupee
Baba	Grandfather
Bakast	Tenant's land in the temporary possession of landlords
Bandobasti	Termed used for the possession of land registry
Bank wallah	Bank staffs
Baskit Parcha	Termed used for the category of land
Batai	A form of leasing land for cultivation
Bataidari	Sharecropping
Benami	Word used for illegal transaction of land
Bhaoli	Rent paid in kind or cash
Bhoodan	A movement for land grant
Bhu-hatbandi	Land Ceiling
Bhusa	Straw
Bigha	A measure of land, approximately 10/11 of an acre in Bihar
Dakhil-kharaj	Mutation of land in Govt. Register after purchasing land
Dalit-Bahujan	Termed used for Lower caste people
Danabandi	A form of leasing land for cultivation
Danda	Bamboo sticks
Diwani	Right for land revenue collection
Dharna	Strike
Farzi	Fraud
Gair-Mazarua Khas	Public land
Gair-Mazarua Aam	Public common land
Gramdan	A movement for village grant
Halka	A Smallest unit of Land Revenue consisting of Panchayat
Hukumnana	An Acknowledgment slip for the payment land revenue
Jagir	A royal grant of tax-free land
Jamma	Total fixed land revenue paid by the zamindars
Janshakti	People's power
Khaddar	A cloth made of khadi
Khata	Land Account of village
Khesra	Plot of Land
Khetihar	Tenant or Cultivator
Kisan	Peasant
Komungo	Office of Land Revenue Collection in Medieval India
Kranti	Revolution or Movement
Lakh	Lac or Hundred Thousands
Lal Sena	Red Army
Lal Salam	Red Salute
Mahalbari	Type for Land Revenue Settlement in Awadh and North-west India
Mahua	A fruit of Madhuca longifolia basically used for brewing liquor
Mankhap	A form of leasing land
Mazdoor	Labourers
Mound	A form of weight equal to 40 kg

Mauza	A Village
Mela	Fair
Mori	A grass type of plant placed at the corner for the division of land
Panchayat	A Smallest unit of local administration consisting of some villages
Parcha	A slip of land
Pardarshan	Demonstration
Patta	A kind of Receipt
Raiyat	Tenants or Cultivators
Rajshakti	State power
Rakba	Area of Land
Salami	Rent paid to landlords at the time of mutation of settlement
Sanyasi	A Saint
Sarkar	A unit of state known as district in British period
Satashi	Eighty-Seven
Subah	A Province
Swami	Master or Religious teacher
Teen-kathia	Cultivation of Indigo in at least three Katha per acre
Urf	Alias
Zamindar	Landlord



## **Introduction**

### **Historiography and Question of Peasant Consciousness**

Over seventy percent of the population of India depends on agriculture but their contribution to the Gross Domestic Product of India is less than one-sixth of total sectors. It is not because the peasants do not produce, but because they get very less benefits from their products. The land in Bihar is fertile and its population mostly depend on agriculture and allied works, yet they continue to remain poor. One of the most important causes of poverty amongst peasants in Bihar was mostly due to domination and exploitation under the landlords, moneylenders, planters, and the policies of the colonial government. Other causes can be traced back to the lack of interest among the State government over the implementation of land reform and tenancy reform in Bihar.

The main purpose of the land reform was to abolish all intermediaries between the tillers of the soil and the government. However, the abolition of zamindari had only eliminated the intermediaries between peasants and the state. It did not bring any types of radical changes in agrarian structure especially among the poor peasants, tenants and landless agricultural labourers. Economic inequality remains in the society. Thus, the abolition of intermediaries has brought the peasants and tenants into the direct relationship with the state on an area of 2.2 crore acres and increased the revenue of the state from Rs. 115 lakhs in 1952-53 to Rs. 531 lakhs in 1962-63. However, the state had estimated an amount of 727 lakhs to be collected as land revenue in 1962-63, but it succeeded in collecting only 531 lakhs.<sup>1</sup> Nevertheless, this increase in revenue could not be utilized by the government for the development, because they had to pay to the ex-zamindars in terms of compensation.

The idea of peasant consciousness and resistance has become a wide subject for a debate among the scholars belonging to different disciplines across the world. Peasants produce agricultural products on which entire society depends to obtain their food and other necessities of their life. In India, they represent the masses of landless agricultural labourers, sharecroppers, tenants, poor artisans and small cultivators. Teodor Shanin defines peasants as a class consisting of small agricultural producers who produce mainly for their consumption with the help of simple equipment and the labourers belonging to

their family.<sup>2</sup> D.N. Dhanagare includes landless labourers, poor and middle farmers under the category of peasant.<sup>3</sup>

Peasants have not only limited themselves in growing agricultural products but have been playing an important role in all circumstances of the social, economic, cultural and political dimension of human society. In a country like India, they had equally participated in the national movement for freedom as other communities of Indian society did. They resisted the dominance of landlords and planters who exploited them and dominated over their resources. Nevertheless, they are being defined culturally as unsystematic and illiterate, politically seen as the subject of the domination by others who lack their knowledge for an 'organized collective action' and economically as small producers of their own consumption. They have often been socially and economically marginalized, culturally subjugated and kept away from empowering political activities.

### **Question of Peasant Consciousness**

The idea of the peasant as a certain form of class and their resistance as a class resistance has nothing much to do with the analysis and descriptions of nature of peasant resistance in colonial India. The peasants of colonial India can be seen in two variants groups. One who had the modern techniques of agriculture such as equipment and machinery and used the British legal and economic infrastructure to be the rich peasantry who transformed themselves into the landlords. The other was confined in cultivating by borrowing loans from the landlords, rich peasants, and moneylenders.<sup>4</sup> The peasants who acquired wealth and became prosperous were not only in looking to subordinate the economic activities of the society but also were searching a juncture to create a political stead for themselves in the society.<sup>5</sup> The peasant resistance of 19<sup>th</sup> century was often being led by the petty-landlords and rich peasants in their own to enhance their interests, while the resistance by the poor peasants, tenants and tribal were described as the communal unrest by both the state and landlords. The peasants, except being as the form of class, can simply be defined as the 'community' where they use their land in the form of 'individual of community' as Partha Chatterjee has defined them.<sup>6</sup> Chatterjee told that they have certain forms of consciousness that existed in the opposition of the people who do not belong to their community.<sup>7</sup>

The beginning of Subaltern Studies provided a platform for writing and understanding the lives of peasants and other marginalised sections of society. Its aim was to provide the autonomy to subaltern for understanding their 'consciousness and actions' that would make them 'subject of their own history'.<sup>8</sup> It very soon became a 'postcolonial criticism' of Indian historiography that had neglected the history of the subaltern.<sup>9</sup>

For Ranajit Guha, nationalist historians symbolized Indian nationalism as primarily 'an idealist venture' where native leaders fought against the British and led the people 'from subjugation to freedom'. Guha argued that nationalist narration of Indian nationalism is 'written up as a sort of spiritual biography of Indian elite'.<sup>10</sup> They have totally ignored the acts and politics of peasants, workers, tribal, and other marginalised communities in during freedom struggle of India. Ranajit Guha then defined the 'subaltern politics' as an 'autonomous domain' which is 'neither originated from elite politics nor did its existence depend on the latter'.<sup>11</sup> He traced the differentiations between the 'elite' and 'subaltern' in terms of their mobilisation and argued that mobilisation was 'vertically' succeeded by the elite politics which was legalistic and constitutionalist, while subaltern mobilisation was achieved horizontally which was 'more relatively violent'.<sup>12</sup>

The peasants have their own means of consciousness through which they act and resistance the domination and subordination as Dipesh Chakrabarty pointed out that they had not to 'undergo a historical mutation into the industrial worker in order to become the citizen-subject of the nation'.<sup>13</sup> Both peasants and workers have the consciousness of their own depending on their types of class and community. Gyanendra Pandey shows the peasant as 'modern no less than the working class or the insurgent agent'.<sup>14</sup>

Partha Chatterjee emphasised how peasants were defined by the colonial mind as simple, ignorant, subjugated by landlords and moneylenders, and violent who are to be used by Indian elite for 'their narrow political designs'.<sup>15</sup> There was no peasant's participation in Indian National Congress who had been fighting against the colonial government. The coming of a peasant with the Congress, always defined as the beginning of 'mass nationalism', created new space in Indian politics for anti-colonial movements. However, the unity between the elite and subaltern 'remained fragmented and fraught with tension'.<sup>16</sup> Partha Chatterjee then traced 'passive revolution' to interpret the cognition of

independence as ‘mass revolution’ provided by the common people who were mostly peasants and agricultural labourers.<sup>17</sup>

However, the historian Mridula Mukherjee tried to define that it was the national movement which provided a platform for the peasant movements. There was neither such goal nor such direction in their movements. It was just emerged either along with or ‘as part of the national struggle or in areas and among the sections that had at one time or another felt the impact of the anti-imperialist struggle’.<sup>18</sup> She further argued that it was ‘the anti-imperialist movement that created the initial political space in which peasant movement emerged’.<sup>19</sup> While underestimating the role of peasants during national movement and their consciousness, she said:

National movement was a multi-class movement- a movement not only of the peasantry but also of other social classes and strata of Indian society, that is, the bourgeoisie, the intelligentsia, workers, artisans, youth, women and even ruined and small landlords, who all brought their demands, their urges, [and] their particular political styles into the movement.<sup>20</sup>

It must be clear to understand that it was the peasant who strengthened the numbers of participants in the national struggle. There were the peasant leaders like Baba Ramchandra, Madari Pasi, Ramchandra Raju, and Swami Sahajanand Saraswati who led a crucial role in bringing the peasants against the British. The peasants of colonial India not only fought against the British but also they did a demonstration and resisted against the landlords.<sup>21</sup> It is clear that Gandhi influenced the peasants and other lower sections of society to fight against the British, but it was ‘rumour’ more than Gandhi himself that created a new platform for the peasants and labourers to resist against their exploitation and subordination.<sup>22</sup> The historians like Ranajit Guha, Gyanendra Pandey, and Sumit Sarkar have clearly argued in their respective works that the peasant resistance was more revolutionary than a non-violent revolution which was controlled by the zamindars and middle class.<sup>23</sup>

Sahajanand, in his speech delivered at Bihar Sharif on April 10, 1940, not only asked the peasants to fight against the British but also against the zamindars and cruel Congressmen. He enlightened them through pointing out that their all important resources

like milk and ghee had been forcefully taken by the men of zamindars without paying any price.<sup>24</sup> It was the peasant leader Sahajanand who had talked of different types of satyagraha that was designed and rooted in its own way peasant's everyday life. He said:

Farmers, we will read a spell. Farmers have to be in real issue, they have to fight the real battle. Somewhere we have to be beaten by sticks, and then have to do procession anywhere. Our friendly people will say the land will be auctioned. But we will not go for lobbying in the court. The landlords will get decree by their money, will auction the land, will sell it, and will get registered in the paper. The landlords will cultivate that land, will destroy *mori*, and then it will be well known. Don't go for registry in the paper. Go to the farm, burn the fire there, look everywhere where 144 is imposed, and where 107 is. We will see all around the field by planting lamp where 144 is imposed, and where 107 are. Section 144 and 107 are not in the field but in the brain. Farmers have to do it. This is the satyagraha of the farmer.<sup>25</sup>

### **Historiography on Peasant and Land in Bihar**

The nature and activities of peasants' consciousness and resistance have been mostly marginalized in historical narratives of colonialist and nationalist historians in India. The British administrators and Colonial officers denied the 'rationality' of peasant resistance and looked it as the 'backward-looking' and unprogressive. After 1960's onwards, historians began to look on the emerging class of the rich peasants. They argued that the British Empire provided legal and economic infrastructures that provided peasants to acquire land that helped them to be landlords. The emergence of *Marxist School* for the understanding of national movement in India also lacked to focus on the structure and the meaning of peasant movements in India. Marxist historians described peasants as individual, nonviolent or confrontationist who do not challenge the existing power of the dominated groups. The beginning of *Subaltern Studies* has introduced new meanings and ways to understand the nature of peasants' movements in India. Its purpose was to produce 'better Marxist histories' so that history of subaltern people can be written that had been marginalised in historical writings of the colonial and nationalist Marxist.<sup>26</sup>

David Hardiman's *Peasant Nationalists of Gujarat* is one of the pioneer historical works that challenge both the emphasis on 'elite factionalism' as a mode of explanation as well as Judith Brown's argument who saw Gandhi's mass appeal in terms of its 'religious-moral' base.<sup>27</sup> He focused why some groups of peasants or 'ruler toilers' get mobilized more strongly than others. Through highlighting the participation of *Patidar* including both middle and rich peasants, he argues that middle peasants offered mass participants and the driving force in agitations. However, he mostly focused the colonial sources and village studies. He did not try to investigate the labour relations, especially between the *Patidar* and the untouchable field servants. *Peasant Movements in India* by D.N. Dhanagare has also presented the narratives of peasant agrarian revolts while surveying the *Moplah* rebellion in Malawar, the *Bardoli Satyagraha* of 1928 and in the regions of Awadh and Bihar. His approach is to demonstrate the forms of mobilization among the peasantry of different regions of India under different circumstances.<sup>28</sup>

The most reliable and important historical writing that has been a key point for understanding the nature and structure of peasant's movements in colonial India is R. Guha's *Elementary Aspects of Peasant Insurgency in Colonial India* where he develops a compelling conceptual apparatus under the headings of *negation*, *ambiguity*, *modality*, *solidarity*, *transmission*, and *territoriality* in order to define the logic of rebel consciousness and the forms of its political expression as insurgency and agitation.<sup>29</sup> He defines the meanings of peasant consciousness with the idea of an identity defined in terms of the peasants' negative perceptions of the dominant landlord, moneylender, officials and so forth. The peasants, he argues, 'learnt to recognize himself not by the properties and attributes of his own social being but by diminution, if not negation, of those of his superiors'<sup>30</sup> For him, the *negation* is certainly important in understanding the relationships of dominance and subordination between controllers and controlled and between elites and subalterns. He does differentiate tribal and non-tribal peasantry as discrete social categories, but his model presents peasant as the object not as the central actor in his social and political experience.

In his chapter on *solidarity*, Guha talks about the 'antagonistic relationship' that is possible within the peasantry when discussing the presence of collaborators, informers, and traitors in peasant insurgency. But he relies on European models of peasant conflicts that do not inevitably apply on every aspect of the social and economic pluralities of the

peasant's life in India. His discussion of rumour, 'implies an underlying bond of community among the members' as the prime mode of communication in the setting of rural conflicts is a key point for understanding the peasants' response towards their masters.<sup>31</sup> In his chapter on *territoriality*, Guha explicates the social and cultural meanings of localness as defining the territorial limits within which insurgency or agitation occur. However, his perceptions of peasant insurgency are only able to imply on colonial India, because his model of the insurgency is not fit to define the peasant and tribal resistance, tenancy reforms and land implementation issues in India after independence.

Most of the earlier historians defined the well-known events of certain important figures and periods, but failed to see the real life of peasants who, as a form of labourers, not only enjoyed their life by taking rest in their work-fields in the absence of their masters, but also antagonize masters and exploiters in their acts and through the weapons of 'farce', 'disrepute', 'false compliance', 'pilfering', 'arson', 'sabotage' and so forth as James C. Scott called them as the 'everyday forms of resistance'.<sup>32</sup> His work is based on his field work at Sedeka of Malaysia located in a rice growing area. Scott provides a powerful critique of the concept of hegemony, of ideological domination, employed by Marxist scholars such as Gramsci, Althusser, Miliband, Habermas, and Marcuse.

He narrates how the decade of 1970's saw the transformation of cultivation from the labour force to technological and machine tools which eliminated the labour requirement in land cultivation. The rising price of paddy land has prevented the poor from acquiring more land of their own and the growing mechanisation has reduced their opportunity to earn wages. His work mostly deals with the 'depersonalisation' of social relations among the peasants and landlords and the concept of 'ordinary class struggle' is specially employed in his analysis.

He explains how the poor blamed the rich for not observing the norms of an earlier moral economy where the landlords and prosperous farmers were following the system of an Islamic charity and giving donations to the religious organization, to the poor and periodic feasts. At one hand the rich wanted to treat the favours of work contracts and the benefits of alms to be awarded to 'hard worker' and 'honest', while on the other hand the poor wanted to convert these benefits into their rights. He suggests that the agrarian

rebellions occurred where the legitimacy of the ruling elite had been undermined by its failure to obey traditional obligations.

James Scott uses 'hidden transcript' to define the nature and notion of landlords and outsiders who tried to undermine peasant's activities and limited the rebel's action by putting existing structures of repression and control. His *Weapons of the Weak* proves to be an account of the poor's refusal to accept their subordination. However, Scott, in this work, has missed producing an analytical comparison of 'everyday' and 'abnormal' forms of social protests and the nature of their motivations of the resistance.

He, in his another work, has highlighted the politics and 'lived experience' of power and shows how power relations impose on the powerless.<sup>33</sup> In this work, he furthers the concern through a careful analysis of the symbolic politics of resistance and establishes a distinction between public transcripts- 'the open interaction between subordinates and those dominate'<sup>34</sup>- and hidden transcript- 'discourse that takes place 'offstage,' beyond direct observation by power-holders'.<sup>35</sup> In the public domain, the dominant groups exercise their power over the poor, while the subordinates show their resistance by speaking 'the words of anger, revenge, and self-assertion' in the absence of their masters.<sup>36</sup>

Many scholars such as Walter Hauser, Thomassan Januszi, Rakesh Gupta, Saradindu Mukherjee, Arvind Das and Kaushal Sharma have written the historical works on the activities of peasants of Bihar. Walter Hauser's *Bihar Provincial Kisan Sabha* is one of the earliest works that aims to highlight the nature of peasant's agitations and their organised associations against the state and landlords.<sup>37</sup> His work describes the genesis, formation, growth and the demise of the Bihar Provincial Kisan Sabha and then deals with the relationship of the Sabha with other political organizations like the Indian National Congress, Congress Socialist Party, Forward Bloc, Communist Party of India and others. But his work does not talk about any kinds of organized actions taken by the peasants themselves during this period of his work.

The peasant's upsurge in colonial India has also been defined by Stephen Henningham as the movements brought peasants towards nationalism.<sup>38</sup> He begins his narration of the peasant's movement through highlighting the issues of the indigo revolt of 1917 in



Champanan and the tenants-rights movement led by Swami Vindyanand against the Raja of Darbhanga. After narrating the politics of the Kisan Sabha in 1930's, he mostly goes on to focus on the peasant's role in the Quit India Movement of 1942.

Rakesh Gupta focuses on peasant's movements in general and *bakast* movement in particular and tries to establish his arguments that the peasant's struggle in Bihar was connected to the structure and nature of the Permanent Settlement introduced by the British government.<sup>39</sup> He argues that 'Gandhian leadership under Rajendra Prasad in Bihar viewed the peasant struggle as a mobilizing factor in the struggle against the imperialism alone and not against the zamindars.'<sup>40</sup> He analyzed the formation of the Bihar Provincial Kisan Sabha and its actions with the support of the Bihar peasantry.

Kaushal Sharma points out the relation of the Congress with the landlords in Bihar who never wanted the peasants to threaten the rural power structure because the Congress leaderships in Bihar were endured by high caste petty landlords, middle class urban professional and rich peasants.<sup>41</sup> He in his another work *Peasant Struggle in India* deals with various aspects of the dynamics of agrarian society in the colonial and postcolonial India and is situated on the basis of the chronological order on themes of peasant's struggle.<sup>42</sup> However, it lacks a coherent analysis of the nature of peasant's demand and their sustenance in colonial India. The writers of this book overlook to define the 'real' nature of the subsequent changes occurred especially at the time when and after the power was transformed to the Indians from the British.

The nature of peasant movements and its relations with the government, both British and Congress, has been highlighted by Saradindu Mukherjee in his *Peasants' Politics and the British Government*.<sup>43</sup> He talks of 'politics of nationalism and the beginning of the organized peasants' movement which coincided with Civil Disobedience Movement and the onset of depression'.<sup>44</sup> Mukherjee highlights the growing influence of the socialists and their close partnership with the Kisan Sabha. He incites the nature of the leaders and argues that they were struggling for 'power and position at the level of institutional politics of the legislature and district boards of political organizations'.<sup>45</sup>

Arvind N. Das, in his various works, attempts to present the agrarian situation of India on the basis of regions, events, and perspectives.<sup>46</sup> He identified some characters such as

‘statistical and descriptive’, ‘historical’, ‘legal and political’, ‘contemporary agricultural economy’ and ‘both agricultural and socioeconomic’ that had been the key points of the historians who wrote on the peasant’s movements and agrarian structure in Bihar.<sup>47</sup> He argued that the transformation of the agrarian economy through commercialization, demographic factors and sudden economic changes, and crises in power and authority were the main factors and causes in shaping the rise of the ‘agrarian unrest’ in Bihar.<sup>48</sup> Arvind Das points out two aspects of agrarian unrest in Bihar. One that was led by the capitalists and the middle classes against the British imperialism, and second substantial tenants, poor peasantry and kulaks against the landlords and the states.<sup>49</sup>

If the historiography of land is to be discussed, then P.C. Joshi has presented the pioneering work to highlight the issues of land reform in India. His arguments seem to be baffling when he remarks that ‘Gandhian ideology rose all basic problems of Indian peasants, and the answers provided to them on the basis of classical liberal or Marxist thought inadequate.’<sup>50</sup> However, he does not take interest in showing what aimed to land reforms in India whether it was for capitalist or socialist pattern of ‘modernization’ or ‘economic development’. Before P.C. Joshi, Tomassan Januszi, in his *Agrarian Crises in India*, highlights the peasant’s politics and its contradiction with the government and then moves to describe the ideas of implementation or non-implementation of land reform legislations in 1950’s and 1960’s in Bihar and its effect on the agrarian society of Bihar.<sup>51</sup> In details, he focused why zamindari abolition took a long time in the Bihar Legislative Assembly and how the big-zamindars tried to suppress the bill. Through surveying at villages and interviews of the prominent leaders, he analyzes various aspects of the agrarian situation in Bihar. His selections of surveys are based in the districts of Muzaffarpur, Darbhanga, Gaya, and Patna, but his data are quite selected that keep him away from understanding the real nature of agrarian societies of Bihar.

The writings of Gyaneshwar Ojha and D. Thakur (1989) have attempted to highlight the issues of land problem and its reform in Bihar. Ojha traces the nature of zamindari system in Bihar and the exploitation of peasants and tenants.<sup>52</sup> He then moves to narrate the government’s initiative to abolish the zamindari system and its plan for the redistribution of land. He also writes about the types of holdings in land and its impact on the growth of agriculture. However, Ojha does not attempt to touch the real background of the failure of land reforms that is vested in the different machinery of the state and dynamics of rural

power and structure. On the other hand, D. Thakur talks of the abolition of zamindari, land ceiling, tenancy reforms and the role of other organizations while narrating the issues of land reforms in Bihar.<sup>53</sup> He particularly defined the nature of the different political parties and leaders who were mostly too opposed to the land ceiling bill. However, Ojha did not focus as to why the peasants have not got their land provided under land reforms and ceiling act and what were the different causes that stopped land reforms to be succeeded apart from the zamindar's intervention and factionalism of politics.

The issues of Subaltern Studies have been transferred over a period of time.<sup>54</sup> The Subaltern Studies in its series covered the narratives of Dalit's political and cultural identities, but there was the absence of analysis of 'Dalit-Bahujan alternative' in the entire project.<sup>55</sup> Just after a decade, there came large numbers of critical writings on the emerging themes of Subaltern Studies.<sup>56</sup> However, it was argued by the authors of Subaltern Studies in their volume X that they have started writing 'beyond the discipline of history', and 'tackled issues of contemporary politics and politics of knowledge' in order to inquire and explore new 'directions' and 'issues'.<sup>57</sup>

However, it became difficulties for the Subaltern Studies to tackle the issues of communal violence in its project as Sumit Sarkar defined the late Subaltern Studies as the protector of 'neo-traditionalist anti-modernism' that became the life of Indians after independent.<sup>58</sup> For Sarkar, Subaltern Studies has 'ignored histories of Left and of organised anti-caste movement throughout'.<sup>59</sup> This kept their writings away from the issues like land problems among the peasants, caste based movement, women's exploitation.

The purpose for which the Subaltern Studies was introduced has yet not completed as Partha Chatterjee argued that 'several questions raised by Subaltern Studies have been neither dismissed nor properly answered'.<sup>60</sup> He believed that Guha's method of peasant insurgency may fit to define the history of a subaltern of colonial India, but it is not apt to understand the agrarian crises, peasant politics, and other issues of independent India.<sup>61</sup> The Subaltern Studies started as an 'emancipatory project' but over a period of time, its theory and nature got changed that is why the historians like Dipesh Chakrabarty tried to focus on new 'Subaltern Studies' instead of old *Subaltern Studies* in which he was associated.<sup>62</sup>

Indian peasants have always been with their identity of caste and class. Most of the time, they are being defined by their caste and class status, while their peasant's identity has always been undermined.<sup>63</sup> The resistance of Indian masses can be understood into two types as Partha Chatterjee has distinguished it in which one is that who directly challenge the state sovereignty while other 'make claims on governmental authorities over services and benefits.'<sup>64</sup>

Indian peasants need different politics for carrying their resistance because the time and scenario had changed from colonial to independent India. In colonial India, they were being exploited and dominated by the British, landlords, and moneylenders. But the questions are why they are being exploited and subordinated in independent India, and who left them on suicides. That is why it is being argued that the methods of peasant insurgency implied for the understanding the peasant resistance of colonial India cannot answer the issues raised in independent India.<sup>65</sup> It is always needed to write based on the scenario to time as it is said that the 'Subaltern Studies was the product of its time; another time calls for another project'.<sup>66</sup>

However, there is no such existed writing on agrarian history, land reform and peasant's struggle in Bihar that would have seemed to represent a historical analysis on the nature of proceedings of land reform and government's different initiatives towards the implementation of land reform, redistribution of land to the landless people of the state, and peasant's reaction towards land reform. No historical work on Bihar presents peasant's struggle and their day to day lives and how they react, what are their tools of resistance and their relationship with the state as to how the state responded to the questions of peasant's agitations towards the redistribution of land and failure of land reforms.

## **Chapters**

This research paper is basically divided into four chapters based on its themes and arguments. The first chapter highlighted the historical trajectory of the Bihar Kisan Sabha which is further divided into six parts based on the nature and activities of Bihar Kisan Sabha. The agrarian problems and peasant's conditions in colonial Bihar, the

consequences of the formation of Kisan Sabha and its relationship with the Congress and other political parties are some of the issues which have been narrated in this chapter. This chapter clearly argues till what extent the Kisan Sabha succeeded itself to solve the problems in the agrarian structure of colonial Bihar for which purposes it was founded. The second chapter presents the idea of land reform that is divided into five parts based on the themes of land reform in Bihar. The abolition of zamindari system and its opposition, proceedings of the land ceiling, tenancy reform and its effect on the poor peasants and agricultural labourers have been highlighted in this chapter. In addition to it, the chapter also consists of the role of volunteers, social and political organizations during the phases of land reform.

The third chapter seeks to trace the method and process of land ceiling and distribution of land in Muzaffarpur district. I have tried to highlight how the Ceiling authority had proceeded to acquire the land from the landlords and its steps taken in order to distribute the surplus land among the landless peasants and agricultural labourers. The history of land revenue administration, the case of landlord Baidnath Prasad Singh, and important cases related to land ceiling and distribution of land has been highlighted in the third chapter. In addition to it, the chapter also argues till what extent the beneficiaries were successful in occupying the surplus land given to them under Land Ceiling Act. The last chapter that Forth clearly displays the kinds of exploitation and subordination over the peasants and agricultural labourers and their techniques of resistance against domination. This chapter is divided into three parts in which the basic narratives of peasant movements in Bihar after independence and the kinds of exploitation and domination have been narrated. The multiple forms of resistance have also been traced in the last part of the fourth chapter.

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## Chapter 1

### **Bihar Kisan Sabha: Agrarian Structure and Peasant Resistance in Colonial Bihar, 1929-1947**

The historical works on peasant movements clearly display a range of isolated cases of peasant uprisings in Bihar such as the Santhal rebellion of 1855-56, Indigo Riots of 1867, 1877 and 1907, and Munda uprising of 1899-1901. However, it was Gandhi's Champaran Satyagraha which reveals a space for peasant movements in an organised way. This Satyagraha pressurised the British government and planters to stop the *teen-kathia* system which had been practiced by the peasants for a long under the dominance of the European planters. However, this satyagraha is limited as 'an attempt by the rich peasantry to remove those hurdles in the way of the profitable cultivation of food grains and sugar cane which had been placed by the deposition of the English planters'.<sup>1</sup> It remained against the Europeans and did not change the local exploitative essentials and marked the conversion from one way of exploitation of peasantry to another. By this time, peasants were getting aware of their rights on land but also saw national movement in terms of the struggles against the heavy land taxes under a 'modern' political leadership. The organized form of peasant movements began with the establishment of Bihar Provincial Kisan Sabha in 1928 that spread in all parts of Bihar by 1929 under the leadership of Swami Sahajanand Saraswati.

This chapter is divided into six parts based on the nature and activities of Bihar Kisan Sabha. Part One outlines a short analysis of agrarian problems and peasant's conditions in colonial Bihar. The timeline of peasant movements and the consequences of the formation of Kisan Sabha have been described in part Two. The Third part deals with the political relationship of the Sabha with the Congress and other political parties. The phases and consequences of the struggle over the issues of *bakast* land have been narrated in the Fourth part. The Kisan Sabha's attitudes during the Second World War have been traced in the fifth part of this chapter. While part Sixth and the conclusion of this paper talks about Kisan Sabha's activities during 1945-47 and clearly argues till what extent the Kisan Sabha succeeded itself to solve the problems in the agrarian structure of colonial Bihar for which purposes it was founded.

## **Agrarian Problems in Colonial Bihar**

The situation of peasants and agricultural labourers was very pathetic in the state of Bihar. They had to pay heavy taxes and many kinds of arrears to the zamindars. The Census of 1911 gives the number of zamindars in India 2.8 million which increased to 4.1 million in 1931. However, the number of peasants posing land decreased from 74.6 million in 1921 to 65.5 million in 1931.<sup>2</sup> The status of agricultural labourers was too bad. The number of agricultural labourers increased from 21.5 million in 1921 to 31.5 million in 1931 in which 23 million were recorded as landless labourers.<sup>3</sup>

A large number of cases were being registered by the Congress Agrarian Enquiry Committee related to exploitation of the peasants and tenants in the state of Bihar. The zamindars had adopted many methods in order to dominate, exploit and harass the peasants and agricultural labourers belonging to their estates.

The zamindars of Zora, for instance, had diverted the roots of water resource so that the agricultural fields of peasants would remain waterless and destroyed.<sup>4</sup> A complaint was registered against the Ramgarh estate that used to thrash the cattle of peasants and did not allow their cattle to graze on the forest land and they were also restricted to pick up *mahua* from the forest.<sup>5</sup> It was recorded in the Ranka Raja that the peasants were forced to supply ghee, curd, milk, goats, and rice on various occasions. They were also charged 4 *annas* if a revenue receipt was to be given that were called as *salami*.<sup>6</sup> The *bachkar* was taken at the rate of one calf for every 20 cows and one seer of ghee is taken for every Buffalo. The tenants were also not allowed to exercise the rights in the forest for grazing and fuels.<sup>7</sup>

In the estate of Darbhanga, the peasants were given a short quantity of water from the canal. The peasants claimed that they used to utilize the forest resources without any restriction before 1918, but after that, the zamindars restricted them on various issues. They were forced to pay 12 *annas* to buy a cart load of fuel.<sup>8</sup> The Certificate power was also being misused by the officers of the Darbhanga Raj.

A large number of illegal exactions were being recorded at Purnea against Banaili Raj, Babu Raj Behari Das, Raja P.C. Lall, and Moulvi Iqbal Hassqin.<sup>9</sup> An example of

exploitation was also registered from Supaul where the peasants had to pay Rs. 30-60 to Tehsildars, Rs. 15 to Amin, Rs. 4-10 to Patwari, Rs. 3 to Naik, and Rs. 4 to a peon, at the time of selling their land on the basis of fixed size of land. All these employees had been living comfortably much beyond their means. Apart from this, in *dakhil-kharij*, the Patwari charges Rs. 2 per bigha and Amlas Rs. 14 per bigha for handing over the documents.<sup>10</sup>

A complaint was also registered against Raja Sir Raghunandan Prasad Singh of Monghyr Raj who used to collect taxes even if the land is under water due to flooding. If rent was not to be paid due to any reasons, the important goods of peasant's home were being taken away by the zamindars.<sup>11</sup> It was noted at Simri in Dumraon's zamindari that the raiyats were:

made to pay even when they could produce nothing... [and] no remission was granted for their lands getting covered with river sands and becoming unfit for cultivation.<sup>12</sup>

The committee found a very high rent being collected in South Monghyr. It recorded that 70% *batai* and 28% *danabandi* holdings were admitted by the landlord and equal share of 85% and 63% were being collected respectively. It was calculated by the committee that the land revenue payable by the landlord to the state was about 90% of the total collection during Permanent Settlement but by 1935-36, it reduced to 10% as per calculation through various means.

The selling cost of goods by peasants remained the same for many products from 1928 to 1936, while the buying cost of goods by the peasants had been increasing day by day.<sup>13</sup> It was recorded by 1921 that the debts of peasants were very empathetic in Tirhut Divisions. Purnia district had about Rs. 95000, while Saran, Muzaffarpur, and Champaran had Rs. 5 lakhs, 5 lakhs, and 7 lakhs respectively.<sup>14</sup>

### **Formation of Bihar Provincial Kisan Sabha**

In order to make changes in the life of peasants and agricultural labourers, the Bihar Provincial Kisan Sabha (hereafter Bihar Kisan Sabha) was established by the left-wing

leaders who were also belonging to Indian National Congress (hereafter the Congress or AICC) under the leadership of Swami Sahajanand Saraswati (hereafter Sahajanand).

Since Sahajanand had played a very crucial role in the establishment and circumstances of Bihar Kisan Sabha and given his whole life in fighting for the peasants of Bihar against the zamindars, the right-wing 'Congressmen' and the British government, it became necessary to give at least short details of Sahajanand. He was born to a family of Jujautia Brahmins at Ghazipur, eastern U.P. in 1889. In childhood, he was known as Naurang Rai. Sahajanand was from Brahmin family, but his family main source of income was based on cultivation. Since he belonged to small zamindari family, however, due to the partition of land among the family shareholder, the family became poor, nevertheless, the family managed to handle all activities.<sup>15</sup> In his early life, he became a *dandi sannyasi* of the *Dasnami* order and was also associated with Bhumihaar Brahmin Mahasabha. After that, he left his ascetic life for social activism. He was deeply inspired by Mahatma Gandhi and his activities during Non-cooperation movement, so he participated in national movement as directed by Gandhi.

The idea of Kisan Sabha came into existence in 1927 when Sahajanand visited Bihta, situated in Western Patna. Sahajanand found any oppressive systems in the area where the peasants and agricultural labourers were being exploited by the zamindars. He considered that the solution to the peasant's problems can only be resolved through an organisational structure that was the Congress. Consequently, he started organising the peasants to fight for their rights. The West Patna Kisan Sabha was founded on March 4, 1928, with specific the rules, regulations, aims and objectives and membership.<sup>16</sup> Nevertheless, he argued that his idea of Kisan Sabha was just for making reform among the peasants, not for any kind of revolution for he said that he 'neither understood the meaning nor the significance of revolution.'<sup>17</sup>

In 1929, the Bihar government was amended Bihar Tenancy Bill which was not in the interest of the peasants and agricultural labourers. Therefore, some Congress leaders such as Ram Dayalu Singh, Krishna Singha, Baldev Singh, Pandit Yamuna Karjee, Guru Sahay Lal and Kailash Bihar Lal called a meeting to discuss the matter and find a solution to oppose the bill. They all felt that if Kisan Sabha is formed in the state, then the government would definitely ask them to represent in the council. Hence, the Bihar

Provincial Kisan Sabha was established in 1929 at Sonapur and Sahajanand was made its president.<sup>18</sup> However, the Congress leader Ram Briksha Benipuri opposed the formation of the Kisan Sabha as he believed that it would threaten the Congress which was essential to fight against the British.<sup>19</sup>

The formation of Kisan Sabha in Bihar was also welcomed by Sardar Patel. Patel questioned the oppressive activities of zamindars and said that zamindars are not needed anymore in the state of Bihar or all over India. He was surprised why there was no Kisan Sabha for all India and why peasant's issues were only being discussed in Kisan Conference why not in Bihar Provincial Political Conference which was being held at Monghyr. Although he got his mind changed as other leaders did just after four-five years, and became the biggest opponent to the Kisan Sabha.<sup>20</sup>

One of the challenging problems in the history of Bihar Kisan Sabha was the idea to form another new Kisan Sabha dominated by the leaders of United Party who were being funded by the zamindars. Most of its members were also office bearers in old Kisan Sabha. The questions were raised by the leaders who supported the earlier one over the new one. The answer is given by new Kisan Sabha's founder that since the earlier Kisan Sabha became inactive, so new Kisan Sabha was being formed. Ambika Kant Sinha, Deoki Prasad Sinha, Soma Singh and Guru Sahay Lal were to be office bearers of new Kisan Sabha. They were also members of the old Kisan Sabha.<sup>21</sup> The prominent zamindars like Sachchidanand Sinha and Radhika Raman Prasad Singh were part of it and funded the new Kisan Sabha. Sahajanand questioned the formation of new Kisan Sabha and asked for compromise based on the peasant's opinion.<sup>22</sup> During that time, Rai Bahadur Shyam Nandan Sahai was presenting the tenancy bill on behalf of zamindars and advocate Shiv Shankar Jha was to represent the council on behalf of peasants, however, he was sent by the zamindars.<sup>23</sup> Sahajanand was, therefore, able to impress some of them and the idea to form new Kisan Sabha was dropped.

In order to oppose the tenancy bill in the council and discuss other issues, the Bihar Kisan Sabha held its first conference at Bihta in 1933 presided by Sahajanand. Many leaders from different parties had participated in the conference for their own benefit of getting the seats in District Board or Legislative Council.<sup>24</sup> The issue of zamindari abolition was also raised by the new young members of the Sabha, but it was opposed by Sahajanand

by that time. After this, the Maharaja of Darbhanga Kameshwar Singh asked Rajendra Prasad to help in passing the tenancy bill. However, Rajendra Prasad told the Maharaja that:

The real difficulty in solving this vexing issue is that you zamindars are not prepared to accept the office bearers of the Bihar Provincial Kisan Sabha as the representatives of kisans.<sup>25</sup>

This statement of Rajendra Prasad was taken by Kisan Sabha leaders as a victory for the kisans.

In 1933, the anguish was growing among the peasants. The government called a meeting of Divisional Commissioners to discuss for appropriate actions. The Commissioners suggested not do anything until there is 'serious type of unrest'.<sup>26</sup> For the same purpose, Sahajanand consulted Yadunandan Sharma and printed notices and distributed throughout the district of Gaya. August 15 was set up for rally and lakhs of kisans participated in the demonstrations in the whole district. However, due to the imposition of Section 144 of Indian Penal Code (IPC) in all over the district, no outcomes were noticed, but the peasant's problems and issues touched everyone's heart.

### **The Kisan Sabha and Congress Politics**

By 1936, Indian National Congress wanted to establish close contact with the masses, especially the peasants and workers. It was assumed that the peasants need to be 'actively associate themselves as a class with the Congress and its organisations'.<sup>27</sup> It was hoped that the Kisan's organisations must work and support the Congress that was standing for the national unity and its independence from the British Raj. The Congress argued that 'the real problem is not merely to make contacts with the masses, but to organise and lead the masses' belonging to the sections of industrial workers, peasants, lower middle class, students, and women.<sup>28</sup> The peasantry became the 'backbone of the national movement' among the Congressmen. Thus, the leaders of the Congress wanted to organise the unions of workers and peasants to accept and represent the Congress.

In 1934, many leaders from Socialist Party, who were earlier its opponents, started supporting the Kisan Sabha. Although the socialist party in Bihar existed since 1931, the All Indian Socialist Party was formed in 1934. In 1934, an idea to form All India Kisan Sabha was also given, but it was opposed by Sahajanand because he wanted to create a Kisan Sabha in every state of India first.

Moreover, the second Bihar Kisan Sabha's conference was held at Gaya in 1934 under the chairmanship of Purushottam Das Tandon. The resolution of zamindari abolition was again given by the members. The President supported the zamindari abolition with compensation given to zamindars. However, this resolution was opposed by Sahajanand on the ground that abolition will be done without giving compensation, but the time had not come for it.<sup>29</sup> However, Sahajanand supported the resolution of zamindari abolition in the third conference of Sabha that was held in Hajipur in 1935.<sup>30</sup>

The disagreement among Sahajanand and Gandhi had created the problems among the Kisan Sabha leaders. The fourteen-year relationship between Sahajanand and Mahatma Gandhi got instantly changed after a single meeting. In 1934, an earthquake destroyed and destructed the resources of the peasants. The poor peasants and agricultural labourers were in stress. Sahajanand asked Rajendra Prasad to call a meeting for kisans to discuss their problems. Indeed, he replied that nothing can be done without Gandhi's permission. Sahajanand met Gandhi who was staying in Patna those days and made him aware of the situation. Gandhi did not agree for any meeting or sabha for the kisans which was not possible at that time as per directed by the government. Gandhi asked Sahajanand to give his writing on the peasant's problems along with their name. Sahajanand disagreed saying that if names are given, then the zamindars would terrorise them even more. Moreover, Gandhi advised Sahajanand not to worry as:

The zamindars would redress the grievances of kisans; the Maharaja's manager is a Congressman and would therefore certainly ease their miseries.<sup>31</sup>

Sahajanand was very disappointed with Gandhi and then started believing Gandhi as a selfish politician who was not looking for the well-being of the peasants.

In the mean time, the peasants of Bihar were surprised over Sahajanand choice of Anugrah Narayan Sinha for Patna in Central Legislative Assembly election in 1935. They asked, 'is Anugrah not a zamindar?' However, Sahajanand succeeded in influencing them for voting in favour of Anugrah, and Anugrah won the election. But Sahajanand was soon disappointed with Anugrah because he could not do anything in favour of peasants after winning the election.<sup>32</sup>

The idea to establish All India Kisan Sabha (AIKS) was again discussed by the prominent leaders belonging to left ideology in their meeting at Meerut in 1935 in which Sahajanand, N.G. Ranga, and Mohanlal were to be made its secretaries. The Kisan leaders wanted to establish a separate organisation for the peasants at all India level because they believed the Congress did not represent peasant's interest, particularly its refusal to take an anti-landlord and anti-capitalist stand. It was also not possible for the peasants to pay five *annas* as a membership fee to the Congress and to wear *khaddar* that was very costly. However, Rajendra Prasad asked the Congress not to give a chance for a separate organisation of Kisan Sabha.<sup>33</sup>

Consequently, it was decided that All India Kisan Sabha (AIKS) will be established and its first conference would be held in Lucknow in 1936 at the same place where Lucknow session of AICC was to be held. However, only left and Kisan Sabha leaders participated in AIKS's first conference presided over by Sahajanand. The abolition of zamindari and ownership of land to cultivators were the main draft resolutions of AIKS. In the same meeting, 1 September was fixed as the All India Kisan Day; however, they celebrated 1 May as worker's day too.<sup>34</sup>

The Second Conference of AIKS was held in Faizpur in 1936 under the chairmanship of N.G. Ranga along with AICC's session held at the same place. The peasant's demands were put up by the left and Kisan leaders in the Conference. Then the president of AICC's session Jawaharlal Nehru asked all Provincial Congress Committee to inquire about the peasant's problems and submit a report to the AICC so that a programme can be launched for the well-being of the peasants.<sup>35</sup>

The Bihar Provincial Congress Committee (BPCC) has established nine members Congress Kisan Inquiry Committee to investigate the issues and problems among the



peasants. Sahajanand was supposed to be a member of the Committee as he was an expert on peasant's issues and also a member of BPCC, but he was not asked to do so because it was assumed that if Sahajanand would be a member, then the inquiry report would be said to be as a Kisan Sabha's report. However, he was told that he would be given a chance to look and suggest changes in the report prepared by the Committee before the final submission. The peasants presented their problems at various places. At one place, for instance, they presented evidence that 'they literally had to sell their sisters and daughters in order to meet their rent payments to the zamindars'.<sup>36</sup> The report was prepared and submitted to the AICC, but neither Sahajanand was asked to make a suggestion in the report nor was a single copy given to him.<sup>37</sup>

The Assembly Election of 1937 was another dramatic event in the history of Kisan Sabha and peasant movements in Bihar. As per the Constitution of India 1935, an Assembly Election was to be held in 1937 and BPCC was asked to nominate Congress candidates for the election. Sahajanand was also a member of BPCC's working committee. The Kisan Sabha wanted the Congress to nominate only candidates who 'stood for the peasantry and have wholeheartedly espoused its cause and he unreservedly support its demands'.<sup>38</sup> But Sahajanand was surprised to see that Congress tickets were being given to the people who have been enemies of peasants and Kisan Sabha. He felt that tickets should be given to only those have worked for the Congress, gone to jail for Congress, and prepared to give their life to the nation. However, tickets were given to those who neither worked for Congress nor wore *khaddar*. He considered how he would tell the peasants to support and vote the zamindars who have been exploiting them for a long time. Therefore, Sahajanand resigned from the Congress working committee. However, he was persuaded by BPCC's President Rajendra Prasad who promised him that their biggest enemies were the British and Congress would work in the interest of peasants and agricultural labourers after forming the government.<sup>39</sup> It was difficult for Sahajanand to influence the peasants to vote for Congress because voting Congress means supporting the zamindars. However, he succeeded in doing so. The Congress candidates won on all seats except two or three seats. But just after election's result, it was argued that peasants have not voted for the Congress.

It must be acknowledged that without Kisan Sabha's support, these zamindars of Congress candidates could never have won the election. This can be seen from the case of

two seats of Gaya and Patna where Rameshwar Babu and Shyam Nandan Singh already won the seats in last Legislative Assembly election. No one was willing to nominate their names as Congress candidates against these two persons as everyone feared from them. However, Kisan Sabha chose their two workers and nominate on behalf of Congress. The Congress spent a lot of money on all other constituencies, but not for the constituency of Jahananabad where Jugal Kishore was fighting, because they believe he cannot win the seat. But finally, these two seats were not only won by the Congress but their rivals' deposit was ceased.<sup>40</sup>

In order to discuss the future course of Congress ministry in Bihar, a Provincial Political Conference was called at Masrakh of Saran district. The resolution to abolish the zamindari with compensation was introduced, but on the suggestion made by Kisan Sabha to abolish zamindari without compensation was accepted. It was promised by the Congress that the ministry will work in the interests of the peasants and agricultural labourers. The ministry told that 'khaddar would regularly be worn and the national flag will be hoisted on government buildings'.<sup>41</sup> However, neither any law was introduced in the favour of peasants nor national flag was hoisted on government's buildings or governor's house or school, as promised by the Congress ministry.

The Bihar Kisan Sabha sought for a moderate agrarian reform from the Congress. Indeed, the Congress promised for rent reduction, cancellation of debts and abolition of rents in all kinds and arrears. Once the Congress formed the ministry, it introduced two bills in Legislative Assembly i.e. Tenancy Reforms (Amendment) Act and Agricultural Income Tax Bill. The amendment in Tenancy Act was widely criticised by the zamindars and their managers like Kameshwar Singh, C.P.N. Singh, S.A. Manzoor, and G.D. Singh. The bill was sent to Select Committee who never took up for discussing. Bihar Landholder's Association blamed the Kisan Sabha and Socialists for pressurising the Congress for radical changes in the bill against the zamindars that were against the Permanent Settlement. They told that the occupancy peasants will exploit the agricultural labourers if the bill will be passed.<sup>42</sup> The zamindars argued that the question of tenants' problems cannot be solved through only legislation. There is need to create an atmosphere both by the zamindars and tenants.<sup>43</sup> Kameshwar Singh wrote to Rajendra Prasad asking him to talk to the Bihar government to:

issue a statement stressing that now when relief has been afforded to the tenants, they [Kisan Sabha] must discharge their duties towards their landlords by paying up their rent as they fall due.<sup>44</sup>

However, Rajendra Prasad already wrote to Kameshwar Singh to inform all zamindars not to force the peasants to sell their products like oil, ghee, milk, curd, vegetables, goats, and young buffaloes in the less of market exactions.<sup>45</sup>

The zamindars threatened the Congress by saying that the Congress would lose the financial support from the zamindars if it will go against them.<sup>46</sup> Therefore, the Congress had to modify its amendment in Tenancy Act through its agreement with the zamindars. Earlier the Congress proposed to abolish all systems of rent in produce, but after the agreement, it only abolishes danabandi system, while batai and mankshap were to remain.<sup>47</sup> It was mentioned in the agreement that if the peasants failed in payment of rent for continuing four-year, the landlord may have right to:

institute a suit or suits for such arrears... [and] the government would further issue a statement warning the tenants that if the rents are not paid the government will not be justified in giving special protection to tenants.<sup>48</sup>

After an amendment was made in the bill, Rajendra Prasad said that the ministry has worked for the interest of peasants and the Congress has 'done on the basis of mutual agreement and compromise, the tenants were able to reap the advantages of the new law almost immediately'.<sup>49</sup> However, the Congress action has been defined by the Manager of Darbhanga Raja C.P.N. Sinha, also an opposition leader in Assembly, into a different manner. He observed that the government in Bihar is 'very reasonable and some concessions were secured by the zamindars in Bihar, which no other Government would have allowed'.<sup>50</sup>

Shyamnandan Sahay and Chandreshwar Prasad Narain Singh had accepted that the zamindars had got relief from the changes in Tenancy law through the intervention of Moulana Abul Kalam Azad, to whom they were so thankful, and under his 'stable guidance' they have come to 'the conclusions which have been accepted by the government'.<sup>51</sup> Moulana Azad issued a statement declaring that

all differences between the government and the zamindars regarding the bill under consideration have been removed and I am leaving Patna with certainty that the agreement between Congress and zamindars stands a solid foundation.<sup>52</sup>

The Congress-zamindars agreement was totally opposed by the Bihar Kisan Sabha. Sahajanand described the Bihar Tenancy legislation as 'worthless' and as an 'example of an exhibition of Congress autocracy'. He accused the Congress government of entering into 'an unholy alliance with the zamindars'.<sup>53</sup> The Congress-zamindars agreement on the new tenancy legislation was opposed by the Kisan Sabha and an 'anti-agreement week' was celebrated from July 25 to July 31 all over the province.<sup>54</sup>

Awadheshwar Prasad Singh had mentioned that the Bihar Kisan Sabha had 'warned the Congress leaders against such nefarious provisions being included in the Tenancy Bill'. He further emphasised that the salami clause 'has been remained though under the name of rent distribution fee'. Both the Kisan Sabha and the Congress had been fighting against this, but the Congress had turned its face on this issue.<sup>55</sup>

The ministry's changing attitude was also widely criticised by the Kisan Sabha leaders in fifth and sixth Bihar Kisan Sabha's conference that were held at Bachwara of Monghyr district and Waini of Darbhanga district in 1937 and 1939 respectively. Pandit Yadunandan Sharma was the president of Bachwara conference in which the Congress ministry, District Congress Committee, and local Congressmen tried to disturb and make the conference failure. However, lakhs of peasants came and participated in the Conference. The Waini Conference presided by Pandit Karyanandan Sharma also got succeeded and opposed the ministry's agreement with zamindars. The next conference was held in Motihari of Champaran district that was presided over by Sahajanand in 1940. This Motihari conference passed ten resolutions in which a committee was to be formed for discussing on regular office bearers and the can-growers association was to be established to work on the problems of agricultural labourers.<sup>56</sup> It was argued that:

swaraj will be meaningless to the lower classes if the substitution of white bureaucracy by a brown one. The upper and middle classes of people were only for a swaraj of their own...<sup>57</sup>

Jai Prakash Narain also talked about the Congress attitude towards the zamindars and declared that Gandhism had failed to solve the basic problems of India and agreed that 'it was futile to try to reconcile the interests of the exploiters and the exploited.' However, Jai Prakash did not try to destroy the united front in the name of the Congress that was fighting against the British government.<sup>58</sup>

A large number of demonstrations were being done at various places by the Kisan Sabha in Bihar during 1937 and 1938. 19 November 1937 was celebrated as Kisan Demands Day. Lakhs of peasants participated in the rally. They marched over the road as disciplined men and not a single violent incident occurred. In 1938, another rally was organised in Bankipur Maidan (now Gandhi Maidan) in Patna. However, it could not be carried out as the government imposed Section 144 to prevent the rally.<sup>59</sup>

The BPCC and District Congress Committee had started opposing Sahajanand and other Kisan Sabha leaders' rallies and meetings. The BPCC blamed the Kisan Sabha and its leaders for anti-Congress attitude who do anti-Congress activities and they tried to destroy the Kisan Sabha in Bihar. The Congress ministry in Bihar had tried to crush many Kisan leaders and their activities through state machinery. The Sub-Divisional Officer of Sitamarhi had ordered three Kisan Sabha activists and thirteen kisans to be down to keep peace or imprisonment for one year.<sup>60</sup>

When in 1937, Sahajanand scheduled his visit to Champaran and Saran district, the District Congress Committee of both districts issued resolutions not let Kisan Sabha's meeting to be held in the districts and asked their members to boycott all meetings.<sup>61</sup> Saran Congress Committee disrupted the Kisan Sabha's meeting and disturbed the peasants who came to participate in the rally. However, the Kisan Sabha leaders managed to organise twenty-two of the twenty-four scheduled meetings.

In the meantime, the BPCC presided by Rajendra Prasad accused Sahajanand and Kisan Sabha of committing violence at many places.<sup>62</sup> Rajendra Prasad viewed the acts of Kisan

Sabha as a threat to the Congress. He urged that the Kisan Sabha blamed Congress leaders as 'henchmen of zamindars' who were 'not in the Kisan Sabha or who do not sympathise the Kisan Sabha'.<sup>63</sup> Sardar Patel was also against the view of Kisan Sabha because he believed that it would weaken the Congress.<sup>64</sup> Rajendra Prasad defended the Congress's ban on Kisan Sabha while he was claiming that it had not tried to ban the Kisan Sabha, it had restricted Congressmen to participate in the affairs of the Kisan Sabha. It should be remembered that ninety percent of Congressmen were themselves from the agricultural background, and if the Congress disallow their activists from participating in the affairs of Kisan Sabha, then it obvious that the Kisan Sabha would be weakened by such restrictions.<sup>65</sup>

The differentiation was also being created among the peasants and agricultural labourers in order to weaken the Kisan Sabha movement by the zamindars and right-wing Congressmen. The zamindars used to provide the fund for the agricultural labourers' movement in order to oppose the Kisan Sabha's activities. In the name of Gandhism, they are creating a platform for their own benefits for the election. During Haripura session of AICC, the All India Khet-Mazdoor Sammelan was to be held under the presidentship of Sardar Patel, so the activities of Kisan Sabha may be weakened.<sup>66</sup> Sahajanand believed that the solutions to the problems of peasants and agricultural labourers were associated with land problems.

The Congress leaders also criticised the *danda* (bamboo stick) of Sahajanand which had become the tool of resistance for every peasant. The slogan *lath hamara zindabad* had been spoken by every kisans. Sahajanand was very disappointed with the Congressmen as they blamed Sahajanand *danda* as a political tool while he was using his bamboo stick for his religious beliefs.<sup>67</sup>

In this course of time, Bihar Kisan Sabha president Sahajanand again resigned from BPCC's working committee. Later Sahajanand, Jai Prakash Narain, Gangasaran Singh, Rambriksha Benipuri, Ramnandan Mishra, Dhanraj Sharma and many others signed the petition to the Congress that the Kisan Sabha is not doing any kind of activities that may harm the Congress. The Kisan Sabha not only intended to 'enable ministers to enforce the demands in the election manifesto' but also to 'help the Congress attain independence'.<sup>68</sup> The working committee of All India Congress Socialist Party credited the Kisan Sabha

for setting 'an ideal as to how to develop an independent peasantry movement, maintaining at the same time the consistent policy of united front towards the Congress'.<sup>69</sup>

#### **IV. Issue of *Bakast* Land**

The struggle over *bakast* land had been a key movement of Bihar Kisan Sabha. The issue of *bakast* land began to be noticed after 1934 especially from Barahiya Tal village of Monghyr district. The zamindars had basically controlled over two types of land; one was *zirat* land which was cultivated by zamindars themselves by hired agricultural labourers, while another one was *bakast* land that was leased to peasants for cultivation, and if they cultivate on the same land for continuously for twelve years, then they were entitled to get occupancy right. The Tal village was surrounded by water in the rainy season and the crop was cultivated only in one season. This land was controlled as *bakast* land by the zamindars. The peasants had been cultivating on this land for a long time, but they were neither given payment receipts nor any written documents. The rise of various peasant movements all over Bihar under the banner of Bihar Kisan Sabha made these peasants aware about their rights. They started talking about their right and cultivated land without prior permission of the zamindars.

About 1500 bighas of land were sold by the zamindar Rameshwar Prasad Singh at Reora. The kisans were in very stress. They called Yadunandan Sharma to help them; however it was not possible for him to take any appropriate action without talking with Sahajanand, so he called Sahajanand to look into the peasant's problems of kisans at that place.<sup>70</sup> He reached Reora where 25000 kisans including men, women, and children gathered at the place to listen to him. The Kisan leaders wanted the satyagraha at Roera as their test for the whole province. Therefore, a satyagraha was launched at Reora and it was made a place of a pilgrim for all kisans.

The petitions, meetings, speeches, and demonstration were adopted as the methods at the beginning by the leaders like Karyanand Sharma and Jadunandan Sharma. In this movement, the women had also participated in large number. This struggle over *bakast* land spread over the districts of Patna, Shahbad, Champaran, and Darbhanga. Many kisans were injured due to firing by the zamindars in Darbhanga district.<sup>71</sup> Karyanand

Sharma and many other Kisans leaders were arrested two times during *bakast* satyagraha. They got out of prison only after the Haripura session of AICC. This satyagraha was also supported by Gaya DCC, but BPCC asked Gaya DCC not to participate in satyagraha because Kisan Sabha launched a satyagraha without prior permission of BPCC.<sup>72</sup> The Congress adopted a different attitude and asked its district committee not to get mixed with the peasant's direct action over these issues. The *bakast* satyagraha continued in various districts of Bihar even after the Congress responded to stop them. This satyagrah was being guided and helped by the left-wing Congressmen.<sup>73</sup>

The Congress created a committee consisted of Rajendra Prasad to inquire about the Tal issue. However, no significant points were noticed by the committee for the peasants. After this, the *Bakast* Restoration Act was passed by the Congress ministry. It proposed to restore the *bakast* land to the peasants whose land was less than six acres sold during 1928 and 1836. Nevertheless, neither the land was restored nor the peasant's condition was reformed. Apart from this *bakast* satyagraha, a large number of agitations and demonstrations were being held by the peasants and agricultural labours in Gaya, Shahbad, Bhagalpur, Champaran, and Saran in which many Kisan leaders were sent to jails. In the districts of Darbhanga, the peasants boycotted to work for the Darbhanga Raj. However, the peasant's 'activism' was not active in the districts like Purnea and Muzaffarpur during that time.<sup>74</sup>

### **Kisan Sabha and Second World War**

It is noticed that the issues and activities of Bihar Kisan Sabha got alter during Second World War because it was 'agrarian and economic questions' for which Kisan Sabha was formed, but just after sometimes it got involved in the politics.<sup>75</sup> Since the leaders and workers of Bihar Kisan Sabha were also associated with other political organisations of the time, therefore, the relationship between Kisan Sabha and other political organisations like All India Congress, Congress Socialist Party, Forward Bloc, and Communist Party of India, are essential to be highlighted wherever the history of Bihar Kisan Sabha is being written. By 1936 differences broke out between Kisan Sabha and the Congress, and by 1939 it had worsened. During this time, Kisan Sabha leaders were very much influenced by the ideas and activities of the CSP.



The AIKS, in its fifth session at Palasa in 1940, adopted 'unconditional opposition' to the British government and asked the peasants not to pay rent and taxes and oppose the government attitudes.<sup>76</sup> The same resolution was adopted by the Bihar Kisan Sabha, CPI and Forward Block.<sup>77</sup> The Bihar Kisan Sabha, Forward Block, Socialist Party and CPI criticised the Congress's resolutions on the war because these political parties believed that Congress has only resigned from the Interim government because the British Indian government took India into war without her consent.

However, in June 1941, when Germany attacked Russia, the Kisan Sabha and CPI changed their attitudes and went to support the Allied power against Axis power, while urging that the war became 'people's war because of the changed regrouping of forces, changed prospect before the world'.<sup>78</sup> They urged the kisans to collect and arrange the fund for helping Russia and China in the war so that fascist power would be defeated, and 'Kisan-Mazdoor Raj' might be established in India.<sup>79</sup>

On the changing attitude of Kisan Sabha over war issues, there broke out a clash between the Socialists and Forward Block supporters of the Kisan Sabha that can be seen during the Bihar Kisan Sabha Conference at Dumrao on March 8 and 9, 1941. Then Kisan Sabha President Jamuna Karjee was instructed by Sahajanand to remove Awadeshwar Prasad Singh and other Congress Socialist Party leaders who looked to be against the ideas and principle of Bihar Kisan Sabha. When Jamuna Karjee proceeded to take action on the following matter, Awadheshwar Prasad Singh and his followers 'walked out after much exchange of abuse and promptly formed a rival executive' with Rambriksh Benipuri as their President.<sup>80</sup> In their conference, they attacked the Maharaja Bahadur of Dumraon, the British government, and its sugarcane policy. A large number of leaflets were 'found in circulation at the meeting including two which had been proscribed.'<sup>81</sup> Apart from Awadeshwar Prasad Singh and Rambriksh Benipuri, the Kisan Sabha Secretary Mathura Prasad Singh also resigned from his office because supporters of Sahajanand asked that person to resign who are against Sahajanand attitude.<sup>82</sup>

After this, the Bihar Kisan Sabha organised a conference at Sherghatty in the Gaya District on April 4 and 5, 1942 in which a large and enthusiastic crowd of about 5,000 had attended. On his way to Sherghatty, Swami Sahajanand was shown a black flag protest organised by the Forward Block, in which a minor clash and several arrests had

been made.<sup>83</sup> The socialists also came to Sherghatty to disturb the conference. The Bihar Kisan Sabha led by Sahajanand vigorously opposed the Congress activities while ‘expressing full sympathy with the ideal of independence and its condemnation of Government repression.’ At the same time, Swami Sahajanand expressed their concern as anti-Axis.<sup>84</sup> Sahajanand declared that he did not want to waste the peasants’ energy in fights over the issue of *bakast* land, but wanted the same to ‘concentrate their attention on helping Russia and China to defeat the Fascist powers so that a Kisan-Mazdoor Raj might eventually be established’.<sup>85</sup> For him, helping Russia implying help to Britain which was ‘necessary not through love of the British, but in order to save the country from Fascism, a greater peril than British Imperialism’.<sup>86</sup>

Professor N.G. Ranga also spoke on somewhat similar lines. At one of the other minor Kisan meetings, Ram Briksh Benipuri foretold the early departure of the British from India. He did not think of dominance by the Fascist in India, but looked ‘forward to the establishment of a Kisan-Mazdoor Raj independent of foreign control’.<sup>87</sup>

The Socialist group of the Kisan Sabha also held a conference under the chairmanship of Abul Hayat Chand of Patna at Patepur in Muzaffarpur district on April 18 and 19, 1942. Other important speakers were Basawan Singh and Reasat Karim. They spoke that the war was ‘imperialist and the Indians should take no part in it’, but decided to form village defense units for safety purposes.<sup>88</sup> They had collected funds for an All India Kisan Conference in opposition to the Sahajanand’s faction who was to organise a conference at Bihta in May 1942. In the meantime, Sahajanand warned the audience at Sakra of Muzaffarpur district if they would support the Fascists as suggested by the Socialists.

It was also noticed that Sahajanand appealed to Bihar government to release all political prisoners so that they can fight against the fascist power. On this Governor Steward informed Viceroy Linlithgow that Sahajanand ‘was one of our more offensive critics, has come out very hot and strong in support of the Government’.<sup>89</sup> However, Sahajanand’s attitude was criticised by some socialist leaders who blamed that Sahajanand was making his attachment with the communist that was not in the interest of India. In the following response, Sahajanand questioned the Congress’s opposition to war; because he believed that opposition will help the Axis power to win the war that would then attack India.

While if Allied power would win the war, then the government would be led for and by the peasants because Russia and China will support India.<sup>90</sup>

The Quit-India Movement was carried out in most of the district of Bihar. The police stations and government property were damaged. Despite eruptions of violence, no anti-zamindari agitations took place and private property was fully safe. The division in Kisan Sabha took place when Sahajanand asked the peasants not to participate in the movement. The anti-Sahajanand especially the socialist became militant and participated in the movement against the British. About 60 to 70000 thousands kisans participated in the 9<sup>th</sup> session of Socialist Kisan Sabha as compared to Sahajanand led Kisan Sabha had only about 5000 participants. Many former Kisan Sabha leaders were organising the movements in the villages, despite repeated appeals by Sahajanand and Sankrityanand.<sup>91</sup>

It has been seen that when the question of national movement came, the peasant's movement became unimportant. The membership of Kisan Sabha decreased from 250000 in 1939 to 54000 in March 1942 and then to 27168 in the same month. However, Sahajanand and his team started working to bring peasants in the Kisan Sabha movement.<sup>92</sup>

What exactly Kisan Sabha did just after the course of Quit-India Movement is not clear, because the activities of Kisan Sabha have neither been recorded in running newspaper (most of the newspaper were banned during Quit-India Movement) nor by the Bihar Govt. Fortnightly Report. However, Kisan Sabha supported the government 'grow more food campaign' and different types of fertilisers were advised to the peasants by the Kisan Sabha. It asked for the abolition of Bhaoli system, prevalent in Gaya, Patna, and Monghyr. A protest was organised against the Bettiah Raj who opposed the tenants to take wasteland for cultivation. Sahajanand advised the tenants to continue agitations and cultivate *bakast* land forcefully if needed.<sup>93</sup>

### **Kisan Sabha's Activities after World War**

After Second World War, the peasant's 'activism' under the banner of Bihar Kisan Sabha basically focused on three issues- the cultivation of *bakast* land, making bhaoli land as cash rents instead of produce rents, and the abolition of zamindari.

In 1945, Sahajanand had already resigned his presidentship of AIKS as he claimed that the Communist had dominated the affairs of AIKS and made it as people's war that has never been anticipated by the Kisans. However, he intended to be with Bihar Kisan Sabha.<sup>94</sup> The idea to form new Kisan organization was also introduced by Puroshotamdas Tandon which was supported by Sahajanand, Indulal Yagnik, and N.G. Ranga.<sup>95</sup>

The election of 1946 remarked a very remarkable point in the history of Bihar Kisan Sabha. In 1946, Bihar Kisan Sabha came in support of Congress when Congress talked of zamindari abolition in its manifestoes. Other political parties like the CPI and RDP also came with their election manifestoes with radical demands for agrarian reform. The abolition of zamindari, waving of loans and debts, peasant's proprietor over land, and employment for landless peasants were placed by Bihar Kisan Sabha in its manifestoes.<sup>96</sup> The Congress secured its majority in the election, but there were many clashes between the Congress and the left parties, like CPI candidate Karyanand Sharma from Monghyr (opposition to Congress candidate S.K. Sinha) was seriously injured during the election campaign.<sup>97</sup>

There was hope in the eyes of peasants when the Congress formed the government in the province. Although the government forwarded the proposal of zamindari abolition, nothing was done for peasants at that time. The Kisan Sabha leaders like Sahajanand and Yadunandan Sharma talked about zamindari abolition everywhere they participated in meetings, rallies, and conferences. Sahajanand wanted to abolish the zamindari system fully and said that:

zamindari or malguzari system had made no contribution towards the betterment of peasantry; the landlords could not claim compensation from the Congress which wanted to liquidate zamindari.<sup>98</sup>

However, the proposition of zamindari abolition was widely opposed by the zamindars and their allies. C.P.N. Singh wrote to Rajendra Prasad and Mahatma Gandhi and sought recommendations from Abul Kalam Azad for the future of zamindari in India.<sup>99</sup> An amount of violence was committed by the zamindars all over Bihar against the peasants.

The issue of *bakast* land again became serious among the peasants. The left-wing forces organised 'Kisan Front' supported by CPI, CSP, FB, and RDP to show the grievances of peasants.<sup>100</sup> A large number of clashes were noticed between the peasants and zamindars in various districts of Bihar. The RDP leaders led the *bakast* struggle in Shahbad, while the leadership of this struggle in Monghyr was provided by the Socialist Party. In Champaran, all parties joined hand to fight for *bakast* land against the zamindars.<sup>101</sup> The Congress ministry introduced *bakast* land legislation, but the final decision over *bakast* land was left on tribunal made for this issue. The zamindars may also appeal to the court in order to claim their right over this land.

The Bihar Kisan Sabha took other old issues of rent for paying in cash instead of the product because Congress amendment in Tenancy Act did not benefit the peasants. The zamindars tried to take over Bhaoli land in Gaya district and even employed *lathials* for cutting the peasant's crops by force. Therefore, the peasants carried out agitations at many places to take their shares on bhaoli land. The zamindars organised themselves that caused a large number of riots wherever the struggle over bhaoli land was being done.<sup>102</sup> The Congress ministry sought to amend the Tenancy Act in order to solve the problems in the computation of rents in 1947, but it was opposed by the zamindars like Shyam Nandan Sahay as the government has not taken sanction from the governor.<sup>103</sup>

### **Conclusion**

Bihar Kisan Sabha had used dialogues, meetings, rallies, and conferences as the methods of their resistance, agitations, and demonstrations against the oppressive zamindari system. All the peasants unitedly fought under the Kisan Sabha. It's main rival was the zamindars. However, in the course of fighting for their due rights, it had to struggle over a period of time with the Congress, the Socialists, the Communists, and even with its own members. Many scholars claimed that peasant movements under the Bihar Kisan Sabha leaders did not succeed in Bihar. The movement is viewed as 'a movement which could not develop into a formal organization' by Walter Hauser.<sup>104</sup> On the other hand, A.N. Das saw it as 'a movement rather than an organisation', because it was limited to meetings, demonstrations, annual conventions.<sup>105</sup>

It should be noted that Sahajanand defined the peasant movements in Bihar as

A relentless war against hunger, poverty, servitude, and humiliation... raises voices it's against capitalism and landlordism because these two institutions are the most formidable allies of these principle enemies of kisans.<sup>106</sup>

He defined peasants as 'anyone whose primary source of livelihood is agriculture'. It was declared in the manifesto that the Sabha 'stands not only for the raiyats but also for petty zamindars and agricultural labourers'.<sup>107</sup> Sahajanand remained basically not as a political man, but his devotion was only to the peasants for whom he was the most vocal and active leader. He could correspond with them and coherent their believing. He made clear contact with peasants and took up their causes through meetings and rallies that he structured in his own protocol. After Sahajanand's death in 1950, Pandit Yadunandan Sharma and Karyanand Sharma led this organization and various peasants' issues were taken up after independence.

Indeed, the peasants have even faced the problems in their every-day-life in contemporary time for which Bihar Kisan Sabha had struggled in colonial India. However, it was due to the continuous efforts of the Kisan Sabha through agitations and demonstrations over a period of time that the Congress government was able to bring the law for the abolition of zamindari and reform in tenancy system. Bihar was the first state of India that introduced the bill for zamindari abolition on the floor of its legislative assembly. The states like West Bengal, Kerala, Karnataka, and J&K had successfully achieved in implementing reforms in land and tenancy system. However, it was the irony of Bihar state that the effect of zamindari systems continued until this day. The truth is that the maximum numbers of politicians in Legislative Assembly were the zamindars. Hence, despite the introduction of zamindari bill in 1946, till 1961, there was no law on the ceiling of land. Only after 1970, ceiling gradually started but half heartedly. Now only a very small fraction of land was redistributed to the landless peasants and agricultural labourers of the state.

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## **Chapter 2**

### **Towards Land Reform: Law and Politics of Agrarian Change in Bihar, 1947-72**

Land is the main source of livelihood for human beings. Human beings not only use it as a source of agricultural and non-agricultural products but land is the basis of their culture and traditions. The nature and types of ownership of land are very significant for understanding the structures of land. In ancient time, the land belonged to the peasants and the kings surely collected revenue from them. During medieval period in India, Jagirdary system was established to look into the matters of holdings of land, where jagirdars was subordinated to the kings of a state and land remained with the peasants. It was during the colonial period when the Permanent Settlement, Raiyatwari, and Mahalwari systems were introduced by the British Colonial Government to control the agrarian system in order to increase their revenue. Thus, zamindars became not only the lords of land in Colonial India but also assumed the ownership rights over land and peasants converted into a mere tenant. Apart from the economic aspect, land came to be used to define the social and political status in the society.

The Permanent Settlement of 1793, introduced by Lord Cornwallis, was introduced for the purpose to collect revenue from peasants and tenants indirectly through appointing zamindars at the share of 10/11 (90%) of the total 'identified' revenue of estates where landlords were getting only 1/10 (10%) of the share.<sup>1</sup> The exploitation of peasants and tenants by zamindars increased over a period of time that by 1940's their share of income from revenue reached more than 10/11 of revenue. The legal reform of agrarian property and commercialization of agriculture after the Permanent Settlement in Bengal converted landlords into owners of land if peasant fails to pay rents within due dates.

The conditions of tenants were trying to be reformed through the Rent Act of 1859 and the Tenancy Act of 1885 which were designed to protect the basic structure of small peasant agriculture. However, due to de-industrialization and commercialization of agriculture in the second half of 19<sup>th</sup> century, India witnessed under-development and poverty that carped peasants to fight against the British and landlords with a slogan 'land to the tillers'. They started imagining themselves for the abolition of zamindari, tenancy

reform and ceiling of land.<sup>2</sup>

The Congress and the Kisan Sabha fought for the reform of the land system of India. In 1936, the Congress talked about the issues of tenancy reform and in 1946 it brought the Abolition of Zamindari Act in various parts of India. Many Provincial Governments drafted bills to eliminate intermediary interests between the peasants and the state. Most of the states succeeded in implementing land reform by and large. It has been seen that land reform has been very successful in the states of West Bengal, Kerala, Karnataka and Jammu & Kashmir. The successful in land reform in the states of West Bengal and Kerala was mostly due to pressure from below in the forms of peasants who pressurized the government to do so. The state governments and their legislations made land reform succeeded in the states of Karnataka and Jammu & Kashmir. From the point of view of tenancy reform, Maharashtra and Gujarat became very successful. Assam recorded its success in the view of land ceiling especially in the land belonged to tea gardens. However, some states failed to get land reform- Bihar, Orissa, Rajasthan, Madhya Pradesh, Andhra Pradesh, Tamil Nadu, Haryana, and Punjab.

This chapter seeks to present the process of land reform movement in Bihar. I have tried to trace the history of land reform in Bihar from the late colonial period and role of political parties and various organizations who gave their important contributions in movement. It attempts to explain why Bihar did not succeed in implementing land reform despite the introduction of many bills in the Assembly

Thus, this chapter is divided into five parts based on the types and nature land reform in Bihar. Part I traces the beginning of the movement for the abolition of zamindari system in Bihar and its opposition by the zamindars and various political parties. The methods of the proceedings of the land ceiling in Bihar have been described in Part II. Part III presents the nature and the politics of tenancy reform in Bihar and its effect on the *raiyats* and *under-raiyats*. The role of volunteers, social and political organizations has been traced in Part IV. Part V deals with the position taken by various political parties over the issues of the acts related to land reform in Bihar.

## The Abolition of Zamindari System

In its Lucknow session of 1936, the India National Congress (INC or the Congress) passed a resolution for getting closer cooperation from other organizations such as the peasants and workers. By another resolution, the Congress pursued the formation of an All India Agrarian Programme in order to end poverty, unemployment, and indebtedness of peasantry. The Congress decided Agrarian Programme at Faizpur. In the same year, the All India Kisan Sabha was founded in 1936 by the left leaders belonging to various parties. It met at Lucknow in April 1936 under the chairmanship of Swami Sahajanand Saraswati where the demands of a substantial reduction in rent and revenue, the abolition of forced labour and feudal dues and levies were taken forward. During the election of 1937, the Kisan Sabha extended its full support to the Congress candidates in the hope getting their demands fulfilled.

Once the Congress ministry was formed, the Kisan Sabha wanted the ministry to intervene in the zamindari system and strengthen the status of peasants and tenants.<sup>3</sup> But the Congress prolonged connection and agreements with the big zamindars disheartened the Kisan leaders. This apathetic attitude of the Congress government began protests and agitations among the Kisan Sabha leaders. On several occasions, the Kisan Sabha held massive demonstrations and rallies to ventilate the grievances of peasants. The Congress members were asked not to attend and support any types of meetings held by the Kisan Sabha.<sup>4</sup> These conflicts between the Kisan Sabha and the Congress led to the resignation of the Kisan Sabha leader Swami Sahajanand Saraswati from the Provincial Working Committee in 1938.<sup>5</sup> However, the Congress Ministry passed the *Bihar Tenancy Amendment Act* in 1937 and *Bihar Restoration of Bakasht Lands and Reduction of Arrears of Rent Act*, 1938. These acts helped peasants and tenants, reduced rent up to 25 percent and abolished the *salami* that was paid to zamindars at the time of transfer of land. These laws did not provide a procedure for guaranteeing rent receipt to peasants and the mild penalty for illegal exaction and levies were hardly sufficient to change the old practices lying in the agrarian systems of India.<sup>6</sup>

Peasants and workers were the keys from which the Congress could have won the

legislative assembly election of 1946. Therefore, in order to mobilize votes, the Congress promised to abolish the intermediary in land in its election manifestos. With a view to fulfilling its promise to abolish landed intermediary, the All India Congress Committee appointed a High-Level Committee with Jawaharlal Nehru as its chairman very soon after India got independence in 1947. The Committee was the Congress Economic Programme Committee who submitted its report to the Congress President in 1948. It considered that:

All intermediaries between the tiller and the state should be eliminated and all middlemen should be replaced by non-profit making agencies, such as Cooperatives.<sup>7</sup>

Another Committee was appointed under the chairmanship of J.C. Kumarappa to look into the matters of agrarian questions and its procedures for reform. The committee known as the Congress Agrarian Reforms Committee submitted its report in 1949 and gave its opinions that 'in the agrarian economy of India, there is no place for intermediaries and land must belong to the tiller'.<sup>8</sup> The Congress acknowledged that 'there cannot be any last improvement in agricultural production and efficiency without comprehensive reform in the country's land system'.<sup>9</sup>

The committee then recommends a 'collecting type of farming' in which land holding should be based on village, and then the land would be allotted to an individual for farming. The committee believes that this type of holding will help even the poor to cultivate on land as the state will provide the agricultural resources and equipment on time. The idea of 'collecting farming' was suggested where the peasants would be allowed to farm individually. It was argued that 'land should be regarded not as a source of rent providing an unearned income for its owner, but as a definite and limited means for employing the labour of a class of citizens whose regular occupation is the tilling the soil'.<sup>10</sup> Syed Mahmud had suggested for organizing 'the village community or village into village co-operatives which on behalf of the peasants will acquire and hold the proprietary interest in the village'.<sup>11</sup>

Bihar was the first state in the country to introduce a bill for land reform. The process of

land reform in Bihar started with *The Bihar State Management of Estate and Tenures Act* in Legislative Assembly in May 1948. Then Revenue Minister Krishna Ballav Sahay put his full efforts to make the bill into an Act. The Bill aimed to transform the nature of the proprietors and tenure holders on the land system in Bihar and 'mortgagees and lessees of such interests including interests in trees, forests, fisheries, kalkars, perris, markets, bazaars, mines, and minerals.'<sup>12</sup> However, the validity of the bill was strongly challenged on the floor of Bihar Legislative Assembly. It was argued that if the bill is passed, then 13 lakhs zamindars would turn communists and uproots the government.<sup>13</sup> *The Indian Nation*, a supporter of intermediary interests in land, wrote that:

If the government would have guaranteed compensation, the Act might have been saved. There was the Ministry's indecent anxiety to take away rights of landlords without any compensation and it was definitely a dishonourable course for the Ministry.<sup>14</sup>

Then the bill was repealed and reintroduced as Bihar Land Reforms Act in 1949 which got the President's assent on September 11, 1950.<sup>15</sup> However, it was again challenged by the zamindars in Patna High Court. The Justice Shearer of Patna High Court, in *Kameshwar Singh vs. the State of Bihar*, questioned the authenticity of the bill defining that it directly violated the Article 14 and 19 (1) F of the Fundamental Rights of Indian Constitution and declared the Act unconstitutional and void.<sup>16</sup> The State Government approached the Central Government to interfere into the matters. For the same purpose, the First Amendment of Indian Constitution was done by the Central Government in which Article 31A and 31B were added which approved the validity of Bihar Zamindari Abolition Act. Then the landholders moved to the Supreme Court who, except some sections, validated the authenticity of the Act.<sup>17</sup> Very soon in 1952, the State Government directed all zamindars to submit their estates including all records and papers. However, they did not surrender all records and again moved to the doors of Supreme Court. Thus, the State Government took for about next eight years to work for the ceiling of land.

Through its majority in the Bihar Legislative Assembly, the Congress government passed the Bihar Land Reforms Act, but it was very hard to proceed for the ceiling of land. The

zamindars started agitations and arranging demonstrations and rallies against the state in various parts of Bihar. The Revenue Minister K.B. Sahay conceded that zamindars were 'a minority in the house, they were powerful outside and they were doing all in their power to undo the March of this measure'.<sup>18</sup> From a very day when zamindars came to know that the state wanted to abolish the zamindari system, they got themselves united and submitted several appeals and memorandum to provincial and national leaders such Mahatma Gandhi, Jawaharlal Nehru, Rajendra Prasad and Moulana Azad. C.P.N. Sinha requested Rajendra Prasad to make delays in the finalisation of the bill, so that the zamindars may get sometimes to prepare for the claim.<sup>19</sup> Following requests were also sent to Jawaharlal Nehru and Mahatma Gandhi.

The President of Bihar Landholders' Association wrote to the Governor of Bihar stating that the abolition of zamindari aimed to destroy an important institution that had worked for the safeguard of a socioeconomic and cultural aspect of the rural Bihar. They claimed that the bill 'does not provide any suitable or any scheme or plan for rehabilitation and for the reorganisation of the rural economic system'.<sup>20</sup> They further said that the government had aimed to abolish the zamindari but it had till date not able to solve the problem of tenants from wasteland under the Waste Land Reclamation Act. The government has not been able to 'make any arrangement for the tillage and reclamation of such land'.<sup>21</sup> They suggested that the government is getting Rs. 16 crores from the revenue, but after the abolition of zamindari, the government would get no extra benefits, because they would have to pay 'expenses and loss of land revenue, road cess, agricultural income tax, court fees and stamp duties'.<sup>22</sup> The landlords wrote to the Governor General C. Rajagopalchari and expressed that:

The abolition of zamindari without equipping the mass with the necessary education culture and training to take up leadership and organise village communities entails the ushering of a dangerous social as well as administrative vacuum.<sup>23</sup>

They further blamed the Government of Bihar and said that the Govt. of Bengal ‘seems to be thinking on such constructive lines’, while the Govt. of Bihar has ‘totally ignored the constructive side of the problem’.<sup>24</sup>

There was the emerging step to abolish the intermediary right over land in Bihar, the petty-landlords called a conference to discuss the rights and activities of farm-holders, tenure-holders, and petty-landlords. A conference was held in 1948 presided over by Nageshwar Prasad, while Khalil Ahmed and B.P. Mahaseth were Chairman Reception Committee and Secretary of the Conference. They asked the government not to destroy them and their right to property and cultivation in the land. They agreed to support the government on tenancy reform and the abolition of zamindari, however, asked the government to make them away from the law. They expressed that:

The petty-zamindars may be allowed to merge themselves completely in the farming class... left them independent with their bakast, khudkasht, zirat and gairmazaura land... in settlement by the government... [and] this class be given preference...<sup>25</sup>

The National Cement, Mines and Industries Ltd. wrote to Rajendra Prasad to stop the state government especially Revenue Ministry K.B. Sahay to keep away from taking back leased land that was being used for minerals purpose, so that the land used by them can be out from the preview of the bill.<sup>26</sup> The Tata Iron and Steel Company Ltd. also wrote to Rajendra Prasad and said that the Bihar’s State Acquisition of Zamindari Bill 1947 is:

directly contrary to declared policy of Government of India of central control over important minerals particularly coal with a view to secure uniformity in regulation and development and also contrary to the recently declared statement of Government on industry policy.<sup>27</sup>

It was not that Bihar Land Reforms Act was only being opposed by zamindars alone, but the Congressmen were also not nearly committed to passing the bill in their heart. The examples can be taken from the individual opinion of many leaders. The Chief Minister



Sri Krishna Sinha's ideas on land reform best represent these opinions. S.K. Sinha, in his speech in Legislative Assembly, said while answering the questions raised by Shyamnandan Sahay and Sir Chandeshwar that the abolition of zamindari system is being introduced on the floor of Assembly due to emerging 'social forces' and 'circumstances' of the time that forced his party to bring the resolution on zamindari system.<sup>28</sup> He tried to give the examples of French Revolution of 1789 and Russian Revolution of 1917 that aimed to introduce the changes in socioeconomic and political dimension of the state. It was necessary for his government to bring changes in zamindari system because he believed that if zamindari abolition would not introduce then the agrarian situations in India may proceed towards whatever occurred in France and Russia. He defended himself to counter the arguments by saying:

I assure my friend that I do not give them threat. I tell you it is not in a spirit of revenge and not in a spirit of envy. But I have to act accordingly to the principle that there should not be great inequality.<sup>29</sup>

Although he admitted that there always would be some inequality, because 'a poor man who lives in the hut with his wife and children' cannot claim for the same equality as others.<sup>30</sup>

In order to help the zamindars, Rajendra Prasad asked K.B. Sahay to provide the full details of what he is planning for the abolition of zamindari and reform among the tenants. He told Sahay that his whole scheme was:

incomplete because it was not enough to get rid of the zamindari but what was not needed was a comprehensive scheme which would include the steps taken thereafter.<sup>31</sup>

He further said that:

I do not think that a mere replacement of the zamindar by the Government Tehsildar would give the tenants the relief that they would require... [and] the

cost of management which the govt. incurs is always more than what a private individual does for the same purpose and so it will be in this case too.<sup>32</sup>

Rajendra Prasad questioned 'the justice or fairness of depriving a man of the management of his property'.<sup>33</sup>

Apart from all these, the zamindars also founded an organization called the Bihar Landholders' Association under the patronage of Maharajadhiraj Kameshwar Singh of Darbhanga. The prominent leaders and office bearers of this organization were mostly big landowners such as Chandeshwar Prasad Narain Sinha, Shyamanandan Sahay, and Kumar Taranand Singh. They organized several meetings to oppose the zamindari abolition measures. They mostly blamed K.B. Sahay for these types of actions against the landowners, because they thought that the land reform measures cannot be a central policy of the Congress ideology. *The Indian Nation* blamed K.B. Sahay for this unlawful Act and wrote that:

The fire of power politics is consuming his whole being. The Revenue Minister is evidently insensible to the fact that the bill when enacted will upset the rural economy. The Revenue Minister is either one-eyed or willfully blind. Bihar is screeching under the stewardship of an aggressive politician who has no vision and faith but who is obstinate and petty.<sup>34</sup>

K.B. Sahay was a very big challenge to the interests of the zamindars. So in order to defeat him, Kamkhya Narayan Singh fought the Bihar Legislative Assembly election of 1952 and defeated Sahay in one constituency, but since Sahay had stood for two constituencies so he won in another one. But nevertheless, K.N. Singh succeeded in defeating K.B. Sahay in 1957 election.

The main purpose of the Bihar Land Reforms Act, 1950 was to abolish all intermediary interests between the tillers of the soil and the government. However, the Act provided for vesting of estates and tenures, right of an intermediary to retain land, Land Commission

and compensation to ex-zamindars. The Act allowed zamindars to retain their land which was under their private control, agricultural land under personal cultivation, and land belonged to the sharecroppers in others' name. They were also left free to enjoy in mines and minerals, forests and fisheries, hats and *bazaars, mela*, ferries and all other *sairati* interests. All homesteads of proprietors and tenure holders were to be retained by them as tenants. Land in the *Khas* possession of proprietors and tenure holders were also to be retained by them on payment of rents as *raiya*s having occupancy rights.<sup>35</sup> Thus, they were converted into occupancy *raiya*s with respect to private land, privileged land, and land used for agricultural or horticultural purposes and cultivated by himself or his own servants. They were also in search of taking land in their name from tenants who were unable to show their claim through documentary evidence.

Under the guidelines of the Act, a Commission was established consisting of eleven members under the chairmanship of Revenue Minister to look into the agrarian structure of the state and its development. The five of eleven members were to be elected from the Legislative Assembly, three from the Legislative Council, two to be appointed by the State Government.<sup>36</sup> Apart from this, a Secretary was to be appointed for leading the Commission who was answerable to the State Government. Thus, this Bihar Land Commission was the purely advisory body to the government in matters of agrarian policy.

Before the abolition of zamindari, the records and accounts of land revenue were being maintained by zamindars themselves. It was expected by the State that zamindars would surrender all the details of land and land revenue to the state, but it did not happen so. Thus, the State Government had to establish a vast range of revenue officials for preparing the data for land and its revenue. For this purpose, the entire state has been divided into 597 *anchals* (circle) and *halkas* (smallest unit of land revenue). The Circle Officers and Circle Inspectors were responsible to the government for maintaining efficient revenue administration.

The methods and types of compensation in place of acquired land from zamindars were the main issues of controversy during the time when the Act was on the floor of the Bihar

Legislative Assembly. The Section 19 of the Act conferred for the appointment of a Compensation Officer to calculate the net income of each proprietor and tenure holder.<sup>37</sup> The compensation was to be calculated on the basis of annual income of the landlords from defined sources. Thus, the quantity of the compensation was fixed on the basis of the net income from the land. The following table 2.1 clearly shows the different types of amount of Net income of the landholders and the rate fixed as the compensation paid by the State government to zamindars in place of their land ceiled under Land Reforms Act.

Table No. 2.1  
Amount Payable for Compensation

<b>Net Income (Rs.)</b>	<b>Compensation Rate (In Times)</b>
(a) Below Rs. 500	20
(b) 500 to 1250	19
(c) 1250 to 2000	18
(d) 2000 to 2750	17
(e) 2750 to 3500	16
(f) 3500 to 4250	15
(g) 4250 to 5000	14
(h) 5000 to 10000	10
(i) 10000 to 20000	8
(j) 20000 to 50000	6
(k) 50000 to 100000	4
(l) Above 100000	3

Source: Bihar Land Reforms Act, 1950, Section 24.

Table No. 2.2  
Compensation paid for Lease of Mines and Minerals

<b>No.</b>	<b>Years under Lease</b>	<b>Compensation Paid (In Times)</b>
1.	5	1
2.	5 to 10	2
3.	10 to 20	3
4.	20 to 30	4
5.	30 to 50	5
6.	50 to 80	6
7.	80 to 100	7
8.	Above 100	8.

Source: Bihar Land Reforms Act, 1950, Section 31.<sup>38</sup>

It seems that the Act favoured the petty and small zamindars and big zamindars were

given for some years only. However, the petty and small zamindars demanded even higher demand of compensation than provided by the schedule of the Act. The mode of transaction of the payment of compensation was to be done through cash or in kinds or partly in bonds. Apart from this, the total amount of compensation payable to the 4.78 lakhs intermediaries was Rs. 151.23 crores of which 100 crores were to be paid as principle and 51.23 as interest on it. It was 23.58 percent of the total amount of compensation of Rs. 641.42 crores paid by all states of India. As a whole, the Bihar Land Reforms Act of 1950 could not bring the desired change in the socio-economic set up of the village which was expected from it.

In the first phase till 1952, the state government abolished all intermediaries having annual income exceeding Rs. 50,000. The total number of intermediaries which were abolished by the state was 155. In the second phase till 1955, the state targeted to abolish the intermediaries of some identified districts with gross annual income between Rs. 50,000 and Rs. 10,000. The abolition of land held by the Tata and Tisco groups at Jamshedpur of Bihar was being one of the biggest problems for the implementation of land reform in the state. The state government inserted the Section 2B in the Bihar Land Reforms Act, 1950 to keep away the land held by Tata and Tisco for industrial purposes from the Act. However, it was not until 1970 that the intermediary interests of the Tatas could be abolished.

However, the abolition of zamindari had only eliminated the intermediaries between peasants and the state. It could not bring any radical changes in agrarian structure, especially among the peasants and tenants. There still remained a large number of inequalities in the different sections of society. In spite of all these, there were some socioeconomic and political changes such as the abolition of feudal and semi-feudal exploitation on the peasantry. Many zamindars ventured on new professions such as in business and politics.

### **Proceedings of Land Ceiling**

The idea of the land ceiling was conveyed by the State Government for the equal distribution of land among the people and to increase the revenue income of the state

through land taxes.<sup>39</sup> The Congress Agrarian Reforms Committee considered that ‘a ceiling to land holdings should be fixed and according to our considered views, it should not be more than three times the size of economic holdings’.<sup>40</sup>

It was suggested that in the past the land holdings were meant to the social and economic junctures for the different groups of people, but for making a progressive rural economy, ‘it is essential that disparities in the ownership of land should be greatly reduced’ and land must be distributed to the people belonging to all sections of society.<sup>41</sup> But the problem occurred in defining the types of the ceiling of holdings as the Congress Committee suggested for the ‘economic holding’, while the concept of the ‘family holding’ was given by the Planning Commission. Ultimately, it was argued that the land ceiling would be measured on the consideration of family holdings that include of husband and wife, dependent sons, daughters, and grandsons.<sup>42</sup> Then Bihar Chief Minister S.K. Sinha considered that his government will complete the process of land ceiling in Bihar by 1956 as recommended by the Planning Commission.<sup>43</sup> But it did not happen as the cases related to land reform were pending in the High Court and Supreme Court.

The process of the land ceiling began with *Bihar Agricultural Land (Ceiling and Management) Bill* in Bihar Legislative Assembly in 1955. The bill was recommended by one group of Legislative Assembly Members in the house while there were two another group of members who opposed the bill. The Bill was then referred to the Bihar Land Commission which was established under the section 34 of the Zamindari Abolition Act to advise the state government on agrarian matters. The Select Committee of Bihar Land Commission, which consisted of fifty-one members, recommended certain radical changes in the provisions of the Bill. In place of the previous classification of land into plain and plateau areas, the Select Committee suggested that the ceiling area of a landholder should be based on the quality of land.<sup>44</sup> Thus, they classified land into four categories. The members of the Select Committee wanted major sons or grandsons of landholders to be treated as a separate family unit for fixation of ceilings. But the most radical proposal was given by the Praja Socialist Party who wanted communal ownership of land. They suggested that all land should belong to the Village Community so that all members of the village would cooperate in cultivating the land and get the products

accordingly.<sup>45</sup> Finally, with some modifications, the bill was passed as *The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act* in the legislative assembly in 1959 and sent to the Governor who kept the bill for the President's recommendation. The President gave his assent on the bill in 1962.<sup>46</sup> But the implementation of the Act started in 1965. And until 1966, only 1,790 returns had been filed for 7,197 acres of surplus land.

Table No. 2.3  
Types, Feature, Nature, and Limit-holding of Land

Type of Land	Features of Land	Nature of Land	Limit of Holding
I	Two crops in a year	Flow-irrigation constructed-maintained by the central or state government.	20 acres
II	Two crops in a year	Irrigated by tube-wells or lift-irrigation constructed or maintained by private means.	30 acres
III	Orchard or horticulture		40 acres
IV	Diara land		50 acres
V	Hilly, sandy, surplus homestead land		60 acres

Source: Bihar Land Reforms Act, 1950.

No landholder was allowed to keep land more than limitation fixed by the Act. The landlords were allowed to keep 20 acres of type I land, 10 acres attached to homestead land and plus 15 acres of land used for orchards. The Act also provided land to the landholder for the personal cultivation and paid the compensation of the land acquired from them. There were some types of land belonged to the state, land under the direct possession of the Village *Panchayat* and acquired by the *Bhoodan Yajna* and etc. were exempt from the ceiling under this Act.

The Land Ceiling Act suffered from many drawbacks and weakness. The Act mostly favoured large landholders, ex-zamindars, ex-tenure holders, and rich peasants by accepting the individual as the basis of the ceiling, instead of family. It opened the ways for zamindars to transfer their land to their relatives, friends or fellow members. It unwrapped the gate of fictitious family divisions, *Benami* transfer of land, and other legal

ways to circumvent the Act. The Act recognized an individual landholder instead of a family as a unit for fixation of ceiling area. The Act allowed the landholders to transfer portions of their land to sons, daughters and other relatives within one year of the commencement of the Act. As soon as the state government moved for the abolition of zamindari system in Bihar, the landholders feared of the ceiling of their land, so they began to transfer land to their relatives and sell them at the high rates. The Government of Bihar introduced an Act in the Legislative Assembly for stopping the transfer of land and made provisions that land cannot be transferred or sold to anyone without the sanction of Consolidation Officer and permission of Village Advisory Committees.<sup>47</sup>

The Section 19 of the Bihar Land Reforms Act denotes that the landholders must pay the compensation to the *raiyyats* who were cultivating the particular land if the landholders transferred land or sell to anyone. But state government's decision to give the time of 6 months to transfer the land to their relatives or to the tenants in their possession had been criticized widely by its opposition and the scholars belonging to concerned areas.<sup>48</sup> In fact, the landholders had already started transferring land to their relatives after the date notified for the land ceilings. The state had brought the provisions for disregarding these transfers, but their actions did not become effective and there was no more surplus land left for the redistribution to the landless people of the state.<sup>49</sup> They began to transfer and sell land from that time when the State Government announced the introduction of land reform system in Bihar. Only in 1952, 182,603 acres of land were transferred and the year 1962 recorded 273,775 acres of land to be substituted.<sup>50</sup> The data clearly shows that about 2 lakh acres of land was to be substituted every year from 1952 to 1962. The state was unable to stop the *benami* and *mala fide* transfers of land at the cost of very high rates fixed by the revenue department of the state government.

One important case regarding illegal transfer of land can be traced in Champaran district where illegal exactions of land were done in the name of Mritunjay Prasad and Dhananjay Prasad who were the sons of Rajendra Prasad. Hind Kisan Panchayat of Champaran District asked Rajendra Prasad to solve the problems of landless peasants of Champaran over the issues of land taken by Mirtunjaya Prasad and Dhananjaya Prasad. They alleged that during Congress ministry, a land of 44 bighas was settled with Mirtunjaya, and



another 200 bighas were settled with Dhananjay Prasad by Ramnagar estate without salami. This land was being cultivated by the Jangli Harijans and Bengali Harijans.<sup>51</sup>

Apart from all these, a large number of cases were being counted in Bettiah Estate for the illegal transaction of land.<sup>52</sup> It was found that Rai Bahadur Rameshwar Singh, ex-manager of Bettiah Estate, settled land with many other people. B.B Verma wrote to K.B. Sahay and said that 'every bit of land in the Bettiah town, most of which were valuable and not fit for settlement, have been settled and there is hardly any citizens of the Bettiah town can be made although it is most essential'.<sup>53</sup> It was recorded that the land of 700 bighas was transferred to Mrs. W.W. Broucke of Chowterwa. After that Mrs. Broucke was trying to sell the same land to R.N. Sinha demanding an exorbitant price.<sup>54</sup> However, the government acknowledged these illegal exactions of land without salami, because it had allowed only four settlement on the land belonging to Bettiah Estate i.e. (1) Rai Bahadur Ram Prasad Narain Sahi, nephew of Maharani, (2) Mr. Hargur Sahi, (3) Pandit Prajapati Mishra and (4) to General Manager himself. Nevertheless, the land had been transferred to many persons without taking prior permission from the government or the Maharani of Bettiah Estate.<sup>55</sup>

### **Issues of Tenancy Reform**

The concept of 'land to the tiller' implies the conferment of occupancy rights to those who are actual cultivators of the land they cultivated. The slogan called 'land to the tiller' has been a key concept for agrarian reform in post independent India. Although during the colonial period, the Colonial Government had also tried to reform the conditions of peasants and tenants. The rights of occupancy tenants and relationship between landlords and tenants were defined for the first time through The Bengal Rent Act X of 1859 introduced by the Governor-General Lord Canning. However, the Tenancy Act of 1885 was the first comprehensive Act which gave tenants the much needed legal protection, though, without infringing the legal rights of the landlords in anyway. It provided the extension of rights of occupancy tenants to the settled cultivators, adequate protection to non-occupancy cultivators. The Tenancy Act classified tenants into three different

categories such as occupancy *raiyats*, non-occupancy *raiyats*, and under-*raiyats*. The Bengal Rent Act restricted the state demand from landlords whereas other regulated landlords' demands from tenants.<sup>56</sup> In fact, the Act provides the rights to the non-occupancy *raiyats* or *under-raiyats*, but they had to take their rights from the Civil Courts after some procedures. And it is well known that how many of them were able to approach the Courts for their rights.

In order to improve the situations of tenants of Bihar, the State government amended the Tenancy Act of 1885 in 1955. The amended Act tried to protect the interests of tenants from the exploitation of zamindars. The Section 48A of The Bihar Tenancy (Second Amendment) Act, 1955 clearly points out that the landlords cannot claim any share in the straw of the crops as a rent out of the produce of such land.<sup>57</sup> The zamindars were restricted from collecting the payments of certain kinds of rent by an under-*raiyats* such as *danabandi*, *manhunda*, *kankhap* or *chaurala* under the section 48 B of the Act. The Act conferred the under-*raiyats* to claim their rights on the land if they have been cultivating the land for the last 12 years. But due to the failure of rent payment, they were being deprived of that land in which case the Act does not provide any types of solutions for them. They did not have anything in writings, neither the *hukumnana* nor the *patta* nor any rent receipt from the landlords to support their possession on the land. More or less, tenants did not have received any extra benefits from this bill. Moreover, it is argued that they have lost the economic support of the old *zamindars* who used to give them free materials for the building of houses and other monetary help during their need and emergency.

The immediate problem relating to tenancy in Bihar was to prevent the landlords from illegally evicting a tenant from his holdings. Till 1963, 15,289 cases were registered on this issue to the Collectors of the Districts for the restoration of the possession of the under-*raiyats*. Yet, till December 1963 only 5170 cases were referred to the Conciliation Board and finally, only 7,550 cases were restored.<sup>58</sup>

The *bataidari system* (share-cropping) was one of the causes which were responsible for poverty among the people and the backwardness of agriculture. However, the abolition of

zamindari did not improve the conditions of sharecroppers and under-*raiyats*. The main cause of poverty in Bihar was the antiquated agrarian structure that was full of absentee landownership, unmanageably large and scattered holdings, insecure tenancies, fragmented holdings and various forms of exploitative agrarian relations. This issue of sub-letting was a crucial problem in the Land Reforms Act. With a view to promoting cultivation, the Act tried to reduce the system of sub-letting by granting some types of concessions to *raiyats* and under-*raiyats*. Tenants were informed not to sub-let their land and were asked to keep land that they can use for the personal cultivation. While the Act did not define the means of personal cultivation, it was argued that personal cultivation must be 'desirable to provide for personal labour as a necessary ingredient'.<sup>59</sup> But nevertheless, the process of leasing out land continued even after the abolition of zamindari system and the ceiling of land. More than 85 percent of the landholder who possesses 50 to 100 acres used to sub-let their land, because of the size of land, labour shortage, and involvement in other occupations.

The State government came with some legislation to provide the rights to the sharecroppers and under-*raiyats* and decrease the sub-letting system of land in Bihar. The Ceiling Act of 1961 permitted subletting of land by *raiyat* for a period not exceeding than seven years after giving the particular information to the Executive Committee of the *Gram Panchayat* in the prescribed manner.<sup>60</sup> It reduced the amount of rent in kind payable by under-*raiyats* to *raiyats* and makes regulations for acquisition of the status of occupancy-*raiyats* by under-*raiyats*. The under-*raiyats* were entitled to acquire the status of *raiyats* and keep land under the provisions of the Act.<sup>61</sup> Despite the provisions of the Act, no tenant or under-*raiyat* could get the land from the *raiyat* without a decree from the Civil Court. And they were still away from reaching the doors of the Court after going through a lot of procedures. Thus, in order to protect under-*raiyats* from evictions, the Government of Bihar started a special drive in 1964 to record the names of under-*raiyats*. But the state government was unable to save the rights of under-*raiyats* through the legislation because these under-*raiyats* were not so economically and educationally strong that they could move to the Court and bring the decree for taking their land from the *raiyats*.

In 1967, the United Front Government came to power and brought a special circulation to save the interests of sharecroppers in Bihar. The circulation of the *Homestead Tenancy Act, 1967* considered that no share-croppers should be evicted without a decree from a court of law and no landlord could interfere in the harvesting of the crop sown by the sharecroppers and no landlord could demand more than seven-twentieth of the produce and any portion of the straw as his shares.<sup>62</sup> But the circulation of the United Front Government was challenged by the leaders of the Jan Sangh who was the coalition partner of the United Front Government. They arranged several public meetings and demonstrations against the law on the *bataidars*. The Jan Kranti Dal and the Congress also spoke against the legislation brought by the state government.<sup>63</sup>

In order to save the rights of tenants, the Bihar Tenancy Act was again amended in 1970 which added Section 48 C in the Bihar Tenancy Act of 1885. Under its provisions, the under-*raiyat* was enabled to acquire occupancy right on such land which he held continuously as an under-*raiyat* for a period of twelve years. More or less, the Amending Act of 1970 extended protection to small landowners and held that no occupancy right would accrue to an under-*raiyats* if the landowners have land less than five acres of flow irrigation or tube-wells and ten acres of other kinds of land. It provided additional protection to landowners who were widows, physically handicapped; person belonged to army and navy and armed forces background. However, the State Government added Section 48E of the Bihar Tenancy Act through another amendment which tried to secure the rights of under-*raiyats* and empowered the Collector to take care of sharecroppers' interests.

The construction of the *Kosi* dam was another issue that narrates the activities of the State government towards its steps to land and tenancy reform in Bihar. Through the projects initiated by the State government called a Kosi Project, both the administrative officers and politicians exploited the funds and resources provided by the state. The Union Railway Minister L.N. Mishra and Bihar Irrigation and Power Minister Jagannath Mishra were the main who led the projects. A very interesting point is that most of the contractors and staffs in the project belonged to Mishra's relatives.<sup>64</sup> Under the project, 14 lakh acres of land was to be irrigated, but it provides the irrigation facilities to only about two or

three lakh acres of land. The areas under the irrigation of Kosi Projects were to be defined as the class III land, but this land was declared as Class V land by the State government so that this land could be kept away from the Ceiling Act.

In the 1970s there emerged the Land Grab Movement and Militant Peasant Movements in Bihar which succeeded in making pressures on the government to work on the land ceiling measures and its redistribution to the people.

No such changes were to be seen from the Land Reforms Act 1961 that would have changed the patterns of land-holdings or have given any impact on the landless people in Bihar.<sup>65</sup> Hence, in 1972, the Land Reforms Act of 1961 was amended in which two important clauses were added to achieve the purposes of land reform in Bihar. Firstly, the land ceiling on the means of individual holdings was changed to family holdings and secondly, the quantity of land left with the landholders at the ceiling level of various types of land decreased. The Act fixed 15 acres for type I land, while 18 acres, 30 acres, 37 acres and 45 acres for type II, III, IV, and V land respectively. The Amending Act deleted the sub-clause of Clause 5 of 1961 Act dealing with such provisions which entitled landholders to keep homestead and orchards land, up to ten acres and fifteen acres respectively and reduced the areas to one acre and three acres.<sup>66</sup>

In order to make changes in various provisions related to tenancy and tenure reform, the State government embarked an “Eleven-Point Land Reforms Programme” and took an open decision for the ceiling of land. However, till 1970 there were some 416 landholders who alone possessed 3.6 lakh acres of land.<sup>67</sup> The average size of the land of such landholders was 785 acres of land and there were 81 landholders of them who alone accounted for more than 10,000 acres of land.

The amendment of Land Ceiling Act of 1973 introduced the definition of family holdings for the measurement of the land ceiling. It also made a regulation to give power to the Collector to make inquiries in respect of transfers of land made after 22 October 1959.<sup>68</sup> It was also defined that land held by certain educational institutions, universities, hospitals, public or charitable bodies will be exempted from the land ceiling until these land are

being used for the same kind of purposes. In the same year, the State government led by Karpoori Thakur enacted the maintenance of Land Records Act to provide a legal basis for the updating the land records, but it was not modified in Bihar except some blocks of the state. The Act 12 of 1976 introduced a provision that attracted the landlords to surrender their land voluntary. The provisions made by the amendment of land ceiling act of 1981 clearly talked of the ceiling of land that had been transferred after 22 October 1959.

Many attempts were made by the State government to establish the systems for the ceiling of land. The posts of Additional Collector and Additional Sub-Divisional Officers (Ceiling) were created to look into the matter of *benami* and *farzi* transfers of land and make suitable provisions for the acquisition of land. However, the officers appointed for the land ceiling were always kept under pressure by the politicians.

Through this Amendment, the Government launched a special drive for implementation of land reform and declared 1973-74 as the Land Reforms Year. The Revenue Officials and Circle Officers were instructed to prepare and maintain registers containing names of big landlords and lists of suspected *farzi* or *benami* transfers of land. Under the pressures from the State government, up to April 1974, 21,652 notices had been issued to the landholders and in 1,223 cases the actions were taken up.<sup>69</sup> But most of the big zamindars did not file the return. For example, one of the biggest landowners was Anokhi Devi owning 3,774.15 acres spread over several villages in the districts of Gaya, Aurangabad, and Palamau. The landholders of Purnia district such as Randhir Chaudhry, Moul Chand and Raghubans Prasad Singh etc. had the land of 28,000, 22,000 and 19,000 acres of land respectively. The largest average of surplus land was acquired in the districts of Purnia, Katihar, West Champaran, Saharsa, Bhagalpur, Monghyr, Ranchi and East Champaran. Until March 15, 1989, 3.69 lakh acres of surplus land were acquired and 2.49 lakh acres were distributed.<sup>70</sup> The status of the tenants was to be same as it was earlier except some modified changes in them that did not result in the legislation, but it was the act of time that changed the patterns and perspectives of agrarian structure of Bihar.

## ***Bhoodan and Land Reform***

Whatever successful Bihar has been achieving in its policy of land reform, the volunteers, organizations and political parties have played a very crucial role into that. From the beginning of land reform proceedings in Bihar, the political and social activists participated in these programmes. There were Swami Sahajanand Saraswati and their admirers who relentlessly walked for the interests of peasants and pressurised the State government to intervene in the zamindari system through legislation.

The *Bhoodan* Movement of Vinoba Bhave was unquestionably the greatest voluntary, nonviolent, non-official endeavour ever initiated in India that worked for the land reforms in India. Vinoba concentrated in Bihar to solve its problem of landlessness and stayed a long time in Bihar for solving it. In fact, the *Bhoodan* Movement was started in Telangana region of Hyderabad by Vinoba in 1951 where the Communists had launched a violent agrarian movement against landlords in which some landlords lost both their lives and land. Hence, he tried to influence landlords to gift their land for distribution to landless people. The movement advocated the communal ownership of land in which land belongs to the village community. Vinoba Bhave said that:

People should accept the principle that all land belongs to God. If all land is socially owned the present day discontent would disappear and an era of love and cooperation will take its place.<sup>71</sup>

The *Bhoodan* Movement was supported by all parties in Bihar except some communists. In Bihar, Jayprakash Narayan played a very important role in collecting the gifted land. In order to increase the strength of the movement, the sixth Conference was held in Gaya district of Bihar in 1954 which was attended by more than five thousand delegates including Rajendra Prasad, Jawaharlal Nehru, Radha Krishnan, J.P. Kripalani and Jayprakash Narayan. Jayprakash donated his full life in achieving the aims of the movement. However, he was not satisfied with the progress of the movement. He calls that the state is not so interested to help the movement. He said:

I am ashamed. We, Biharis, took a vow of 3,200,000 acres in order to solve the land problem of our province, we have kept Baba with us for eighteen months, but still, this vow has not been fulfilled. If we have not even enough workers to solve the land problem in Bihar, how can we ever solve it in the rest of India?<sup>72</sup>

He refrained from party politics and resigned from the Praja Socialist Party and gave his full time in achieving the goals of *Bhoodan* Movement. He considered the movement as politics of the people not the politics of political parties.<sup>73</sup>

Fifty million acres of land was taken as a target under *Bhoodan* Movement by Vinoba Bhave in which till 1956 only 43,07,491 acres of land were received and up to 1961 the amount of gifted land reached to only 44,11,191 acres of land. In the case of Bihar, Raja of Ramgarh offered 1, 00,000 acres of land, followed by a donation of 1, 00,001 acres from the Raja of Dhanbad. Giriwar Prasad Singh, Raja of Ranka had also donated 1, 02,001 acres of land to the *Bhoodan* Movement.<sup>74</sup> As a result of such big donations by the Rajas and big landlords, the gifted land increased up to 21, 54,878 acres of land by 1956 after the movement got slow. The highest land donations came from the Hazaribagh district of 8, 82,882 acres of land where a single Maharaja is reported to have donated at least 5, 00,000 acres of land including forests.

The distribution of gifted land under *Bhoodan* Movement was the main problem for the State government because there had been ongoing debates on the floor of the Legislative Assembly for the method and quantity of land. Apart from this, the amount of cultivated land was very less in the land that had been collected by the *Bhoodan* Movement. However, the State Legislature passed the Bill called Bihar *Bhoodan* Yajna Act, 1954 which empowered the State Government to establish the *Bihar Bhoodan Yajna* Committee to administer all land vested in it.<sup>75</sup> The members and chairman of the Committee were to be appointed by the State government under the guidance and advice of Vinoba Bhave. Under the section 14 of the Act, the Committee was empowered to distribute land to the landless people or a village community or cooperative community of the state. The grantee of the *Bhoodan* land was required to pay the same amount of rent to



the State as the donor was paid rent for the land donated.<sup>76</sup> The Act also authorized the state to evict land from tenants if they are misusing it. Thus, the State government became the supreme authority of the land that had been collected under the *Bhoodan* Movement and the state must have taken all the provisions for the distribution of land after the death of Vinoba Bhave. At all India level, eight per cent of fifty million acres of land (target taken by Vinoba Bhave) was distributed to the landless people. While in Bihar, 32 lakh acres of land was fixed as a target in which 21,17,457 acres of land was collected which was seventy per cent of the total target in Bihar and fifty per cent of total land collected at all India level.<sup>77</sup> However, the total land distribution in Bihar up to 1973-74 was 4, 25,434 acres of land among 2, 56,306 recipients. Thus, Bihar succeeded to distribute land only 13 per cent of the total target fixed by the leaders of the *Bhoodan* Movement.<sup>78</sup>

The actual face of data provided by the *Bhoodan* Movement was very different. It has been noted that out of the total land donation of 21,17,457 acres of land, the quantity of 11,82,317 acres of land has been declared unfit for distribution.<sup>79</sup> This land was defined as hilly, rocky and uncultivated. Thus, more than 50 percent of the land donated to the *Bhoodan* Movement was not fit for the cultivation.

The main purpose of the donation of land by most of the Rajas and the big landlords was to get publicity and their name fame among the people. The Newspaper *Rashtravani* wrote 'the purpose of Raja Kamakhay Narain Singh's donation is nothing but self-advertisement because the lands he has donated had ceased to belong to him'.<sup>80</sup>

The lack of administrative organizations and coordination delayed in the distribution of denoted land. The involvement of the political leaders and the factionalism of party politics in the Acts of *Bhoodan* Movement made the movement very slow. The Congress leaders lent their support to the movement, but they wanted to bring their party politics into the movement for mobilizing the people for a vote. A major cause for the failure of the movement was its nature. This movement was not stood for the poor or the landless people, but for the rich and landed people. The rich and landlords came forward in the support of the movement not because they had any kind of sympathy for the poor or the landless, but because they wanted to save their interests and keep away themselves from

any types of rural violence from the landless people that happened in Telangana area of Hyderabad.

Apart from the *Bhoodan* Movement, there was another movement called *Gramdan* Movement which played an important role in the process of land reform in Bihar. It denotes the gift of the village by the landlords from which the entire people of the village community will hold certain types of land and cultivate them. It asked the landlords to donate all their land to the village community which will grant land to the landless for the cultivation. The movement started very soon after the *Bhoodan* Movement came into existence by Vinoba Bhave. In 1957, Jawaharlal Nehru defined the purposes and benefits of the movement in the following words:

The Bhoodan Movement has great significance for what it had achieved and for the new psychology, it creates about land and land holdings and about the terrific passion for private possession of land. The *Gramdan* villages offered the best chance of putting the idea of Cooperative endeavour into effect in view of the fact that the usual difficulties arising out of the individual ownership of land did not obtain there.<sup>81</sup>

The movement got 2932 *Gramdans* in India by 1957 that increased to 49,811 by 1967. With the emergence of Sulab Gramdan, modified forms of *Gramdan*, there was 1,68,058 villages under *Gramdan* up to 1971.<sup>82</sup> In the case of Bihar, on February 19, 1967, the entire district of Darbhanga was donated in the movement. And by October 1962, Vinoba received 60,060 villages along with 15 districts of Bihar. More or less, Bihar is the first state and only state in India to be regarded as a *Gramdan* State. Its activist like Vazir Khan expressed that:

Whatever our present differences, we are looking forward with hope and confidence towards a new future when we will be able to get the feel of *gram swarajya* through our own initiative and enterprise without begging from the government.<sup>83</sup>

In order to enhance the success of *Gramdan* Movement, the State government enacted the *Bihar Gramdan Act 1965* which recorded legal sanction to the basic requirement of the *Gramdan* Movement. The Act denotes that all common land of the village is to be managed by the Gram Sabha with the help of Executive Committee of the village and it would be entitled to receive an annual contribution of one-fortieth of the produce from landowners for the welfare of the village.<sup>84</sup> The Act points out that a *Gramdan* Kisan will be entitled to be in possession of his land and will not be disturbed from such possession from the Gram Sabha without his consent, but his right over his land will be heritable but not transferable.<sup>85</sup>

Thus, this *Gramdan* Movement gave a fresh lease of life to the *Bhoodan* Movement, which was on the decline in the mid- 1950's. However, till 1976 the confirmation works were started only for 1927 villages in Bihar and only 1,194 villages were confirmed in which only 774 villages that had been published in official Gazette and the *Gram Sabha* was established in only 346 villages. At the end, the movement failed because it did not succeed in mobilizing enough resources that it needed and it had limited number of workers. Thus, the *Bhoodan* and *Gramdan* Movements have not been able to solve the land problem in Bihar.

Apart from the movements led by the individuals and organizations, there were numerous political parties who came forward to work for land reform in Bihar. The Communist Party of India (CPI) and Praja Socialist Party (PSP) were the main left parties that had their own conceptions and demands related to the agrarian problems in Bihar. They had differences with the Congress but had supported the Congress policy of abolition of zamindari in Bihar. They demanded a radical change. They wanted zamindari abolition without any compensation to the landlords and intermediaries. The CPI in its manifesto of the general election of 1952 declared that it would cancel Peasant's debts and 'transfer all lands and implements of landlords and Princes without payment to the landlords, without any price to the tillers of the soil'.<sup>86</sup>

However, these political parties supported the Congress on the floor of the Legislative Assembly when the Janta Party, the Swatantra Party, and the Jan-Congress opposed the

## Bihar Land Reforms Act.

The Left parties demonstrated against the Congress for its failure on land reform and tenancy reform even after amending the Bihar Tenancy Act and passing of Land Ceiling Act. During the Fourth General Election in 1967, the Left Parties such as CPI, PSP, SSP and CPI (M) promised for a radical land reform. The CPI demanded that evictions from land should be stopped and the tenants should be defined as the occupancy *raiyyats*.<sup>87</sup> The SSP stood for a ceiling on family holding at three times the economic holding, the abolition of the system of sharecropping and cancellation of all fraudulent land transfers. Finally, the electoral outcome of the 1967 General Election in Bihar went in favour of opposition parties, though the Congress emerged as the single largest political party in Bihar. A coalition government was formed on the basis of 33 Point Common Programme. The Revenue Department was given to CPI leader Indradeep Sinha who initiated the implementation of the agrarian laws. But his working activities were challenged by the opposition. It was the period of 1967 to 1972 when the Bihar Legislative Assembly saw the ten different governments within five years.

More or less, the Naxalbari Movement emerged in different parts of Bihar due to agrarian agitations and discontents. Nevertheless, a large number of demonstrations and agitations took place in various parts of Bihar due to the failure of the state government in implementing land reform and distribution of land to the landless people. The SPP launched its land movement on August 9, 1969, in the districts of Purnea, Saharsa, and Champaran. The CPI and PSP also formulated their programmes for similar agitations and expressed their support to SSP. In 1970, they launched another movement called 'Land Grab Movement' to get all laws and acts related to agrarian reform to be implemented. But the CPI suspended its movement in the middle. SSP leader Bholu Prasad Singh alleged that CPI had suspended the movement 'to appease disgruntled elements of the ruling Congress'.<sup>88</sup> The demonstrations and agitations did not stop in Bihar. In the 1980s, a series of violence took place in various parts of Bihar. In Gaya district, Kesari Nandan Singh, Mukhia of Gandhar Math Panchayat, was killed along with eight of his associates on May 9, 1985. Kesari Nandan Singh was believed to have been a supporter of Gandhar and Deora Math which had huge holdings of land. The Chhatra

Yuva Sanghrash Vahini, the Indian People's Front, and the Mazdoor Kisan Sangram Samiti started a large number of agitations against the State government and District administration for the distribution of ceiling surplus land. The local labourers refused to work in the fields of *math*. The Chhatra Yuva Sanghrash Vahini encouraged the rural poor to construct huts and settle down forcibly on the land of the Bodh Gaya Math. Many settlements named as Lenin Nagar, Stalin Nagar, and Pramod Dasgupta Nagar etc. had been established.

### **Factionalism and Contestation over Land Reform**

The idea of land reform directly hampered the interests of the intermediaries. It was a well-established fact for zamindars that they would lose all privileges if the state abolishes the zamindari system. The land was not only the sources to exercise dominance over the economic aspects of the society but also it increases the social and political status of the landholders. Therefore, they challenged all the Bills and Acts regarding land reform in Bihar. They challenged and fought against the reforms taken by the State government at various levels in the Legislative Assembly, in the High Court and the Supreme Court. They also took the matter inside these institutions through public rallies, demonstrations, and sometimes with the use of force. They also participated in various political parties to sabotage the projected reforms and had strong influenced the policy of the Congress party in this process.

It was not only Bihar where the State Government was pressurized by the landlords whenever it proceeded for the ceiling of land and reform in the economic, social and political life of the tenants. Most of the states in India faced different kinds of opposition from zamindars and opposition parties. But nevertheless, some of the states succeeded in implementing land reform. The successful land reform in West Bengal and Kerala was due to the pressure from strong organisations of the peasants who pressurized the government. The state government of Karnataka and Jammu & Kashmir also succeeded in implementing land reforms through legislation. Uttar Pradesh was also successful in the abolition of zamindari system. From the point of view of tenancy reform, Maharashtra and Gujarat have been very successful. Assam succeeded in the view of land ceiling

especially in the land belonged to tea gardens. However, there are some states where the land reform fails- Bihar, Orissa, Rajasthan, Madhya Pradesh, Andhra Pradesh, Tamil Nadu, Haryana, and Punjab.

More or less, the most important factors that caused the failure of land reform in Bihar were factional of politics. It was factional of politics from which there had been a large number of controversies not only among the different political ideologies and parties but also within one political party. In West Bengal, the State Government introduced many types of Acts and Bills in its Legislative Assembly to abolish the zamindari system. The *Operation Barga* was one of best Act passed by West Bengal Government to give the rights to the peasants and agricultural labourers. The State government established various institutions and provided many types of loans to peasants in order to save their interests. However, the Bihar Government could not carry out its schemes of reforms due to factional of politics in the state that often dominated all its efforts.

The idea of abolition of zamindari system was for the first time presented in the Bihar Legislative Assembly on July 16, 1946. From its first day, the idea was opposed by the members of the assembly who belonged to landholding class. They adopted various types resistance against the government for safeguarding their interests. When Purushottam Chouhan presented the resolution for the abolition of zamindari in Bihar, it was challenged by Rai Bahadur Shyamanandan Sahay who was one the biggest landlords of Muzaffarpur district. He told that the zamindari system has contributed in bringing in the material and cultural development of the state because it was only through the efforts of the landlords that uncultivated land was being made cultivable.<sup>89</sup> He told that the zamindars contributed greatly in the building of many schools, colleges, hospitals, roads, bridges etc.<sup>90</sup> Sahay reminded the State government that the Maharaja of Darbhanga and Ramgarh put their full efforts in arranging and organizing the Congress session in Bihar during the Colonial rule. He countered that the abolition of zamindari would neither benefit the government nor the tenants because the state would have to pay a large amount for the establishment of a large bureaucracy and the revenue of tenants' rent will eventually increase.<sup>91</sup> Chandreshwar Prasad Sinha, Kumar Ganganand Singh, Kamakhya Narayan Singh and Saiyad Amin Ahmad were other such big zamindars who defended

zamindari system and opposed the Zamindari Abolition Bill. They instead proposed a new system of what came to be known as 'cooperative village economy'. However, K.B. Sahay, then Revenue Minister, did not listen to their opposition and went ahead with a Bihar Land Reforms Bill in 1949. However, the dominance of zamindars in Bihar Assembly remained the same for the government. These zamindars succeeded in safeguarding their interests by successfully including provisions which protect their rights in mines and minerals, *hats* and *bazaars* etc. they also succeeded later in amending the Act relating to the land ceiling and quantity and methods of compensation.

After the abolition of zamindari system, most of the big zamindars either joined the Congress Party or increased their attachment with rightist parties such as the Swatantra Party, the Jan Sangh and the Janta Party. The Swatantra Party was against the idea of the Cooperative farming and Cooperative Village Economy as advocated by the Congress. It believed that this system will make tenants as the hired labourers. It wanted the development of the agrarian economy through bureaucratic management.<sup>92</sup> It believed in peasant proprietorship instead of Cooperative farming and promised to 'respect the property rights of the peasants in their holdings, big or small and thereby remove uncertainties and provide incentives'.<sup>93</sup> It then stood against the Land Ceiling Act and considered that the transfer of land to tenants would create destruction in the management of agrarian economy of Bihar.<sup>94</sup>

The main purpose of origin of Janta Party was to save the interests of the private enterprise which stand for the private ownership of land. Like Swatantra Party and Jan Sangh, it stands for the system of 'peasant proprietorship' in the land system in which peasants would be the actual master of the land. The Party proposed to build the village community on the basis of families of peasant proprietors because it believed that:

Property and the secure enjoyment of the fruits of labour are necessary for the development of structured or multiple decked responsible personality of happy family life with family discipline as the very basis of all social discipline.<sup>95</sup>

The defeat of K.B. Sahay, then Revenue Minister, by K.N. Singh of the Janta Party was the greatest achievement for the Party in the General Election of 1957. The Janta Party merged with Swatantra Party in 1959 which introduced new styles of politics led by K.N. Singh. The Party believed that the ownership right on land should not be given to the tillers. However, in the Election Manifestos of 1967 and 1971, it supported the idea of 'land to the tiller', but it did not stand for it.

The Jan Sangh's ideas over the problems of land questions had been changing over a period of time. Initially, it opposed the abolition of zamindari system but accepted the principle of fixing a ceiling on land in Bihar. It viewed that holding should be about 5 to 30 acres of well-irrigated land and surplus land should be distributed to the landless peasants and agricultural labourers.<sup>96</sup> It strongly opposed the Congress's idea of 'cooperative farming' and 'Peasant proprietorship' in the agrarian reform was the key agenda for the Party. The Party totally stood against the idea of 'land to the tiller' and its leader Balraj Madhok considered this slogan as a vote-catching. It favoured the right of leasing land in some circumstances. However, it opposed the tenancy laws introduced by the United Front Government in 1967, while it was an important ally of that coalition government. The party supported the *Bhoodan* movement for its objectives to solve the problem of landless people peacefully, but it became the main opponent when the movement started the concept of *Gramdan* which goes for the communal ownership of the land.

### **Conclusion**

Since the leadership of the Congress in Bihar was dominated by the big landlords, the state land reform never succeeded in any radical land reforms in post independent India. But due to the pressure of Central government, Bihar half-heartedly succeeded in the abolition of zamindari and ceiling of land. When the State government introduced the Abolition of Zamindari Act in Bihar Legislative Assembly, there was not only the opposition party who opposed the Bill but many of the Congress leaders also opposed. Then the ministry of S.K. Sinha wanted some kinds of reform in land system, but due to heavy pressure from the Central Government. Similarly, Land Ceiling Acts also found



difficulties due to the opposition and factional politics in the state. It was the recommendations of Planning Commission and the Congress Nagpur's resolutions of 1959 on land reform that pressurised Bihar Government to pass the Land Ceiling Act in 1959. But the provisions of the Act were created in such a manner that benefited the zamindars. The same attitude was reflected in the Congress leadership regarding the tenancy reform.

Thus, the abolition of intermediaries has brought the peasants and tenants into direct relation with the state on an area of 2.2 crore acres. The Acts of the Government also increased the revenue of the state from Rs. 269 lakhs in 1952-53 to Rs. 1,499 lakhs in 1962-63. However, this increase in revenue could not be utilized for development, because the compensation was to be paid the ex-zamindars. According to an estimate made by the Revenue Department, about 15 lakhs acres of land with a total rental demand of Rs. 66 lakhs remained in the *Khas* possession of old zamindars. It abolished the intermediaries but failed to abolish the rent-receiving class thereby making little impact on the position of underprivileged persons of the rural community.

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<sup>33</sup> *Ibid.*

<sup>34</sup> *The Indian Nation*, April 6, 1948.

<sup>35</sup> *Bihar Land Reforms Act*, 1950, Section 5 (1).

<sup>36</sup> *Ibid.*, Section 34.

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<sup>38</sup> The Act defines that the land belonging to mines and minerals not to be ceiled by the government, however it instructs the *zamindars* to surrender and subsisting these land to the government in place of compensation of lease paid to them by the government. The Section 12 of the Act also talks of the composition of Mines Tribunal consisting of a Chairman who shall be a District Judge and one another members appointed by the State government with the previous approval of the Central government.

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### **Chapter 3**

## **Politics of Ceiling and Redistribution: A Case Study of Muzaffarpur**

The district of Muzaffarpur comprises a vast amount of plain land formed by the alluvium conveyed by the rivers like Gandak, Burhi Gandak, and Bagmati. The areas had often been flooded due to river-beds which are 'higher than adjoining areas'.<sup>1</sup> The district consists of dry and healthy climate and its normal rainfall is about 1180mm. According to the Census Report of 2011, Muzaffarpur has the total land of 3,172 sq. km. where 48,01,062 population live with the density of 1514. The district stands thirds in terms of population and tenth in terms of area in the state.<sup>2</sup> It has total 1786 villages in which 67 villages are uninhabited where 943,155 households have been sustaining.<sup>3</sup>

This chapter seeks to trace the method and process of land ceiling and distribution of land in Muzaffarpur district. I have tried to highlight how the Ceiling authority had proceeded to acquire the land from the landlords and its steps taken in order to distribute the surplus land among the landless peasants and agricultural labourers. The chapter is divided into four parts. The history of land revenue administration is incited in the first Part. Part two discusses the cases of landlord Baidnath Prasad Singh in which it is traced how the landlord undermined the Land Ceiling Act and the Ceiling authority did not succeed in the ceiling of land. The proceedings of important cases related to land ceiling had been discussed in the third Part in order to show how the peasants and labourers move from office to office to ask for their right. While the last Part deals with the data of land reform to point out till what extent the beneficiaries were successful in occupying the surplus land given to them under Land Ceiling Act.

### **History of Land Revenue Administration in Muzaffarpur**

Muzaffarpur came into existence as a district in 1875 named after its principal city established by an *amil* Muzaffar Khan. Earlier it was a part of Tirhut district which was divided into Muzaffarpur and Darbhanga. Later on, in 1972, it was again divided into Muzaffarpur, Vaishali, and Sitamarhi. In ancient time, Muzaffarpur formed a part of the *Videha* Kingdom which capital was at Vaishali that has been identified by Cunningham as present day Basarh village in Muzaffarpur district.<sup>4</sup> The Jain and Buddhist sources clearly show that Lichchhavi princess of Vaishali married to Magadha famous King

Bimbisara. During Ashoka reign, a *stupa* and lion-pillar were enriched at the time when Ashoka visited Nepal. In 635 AD, Hieun Tsang talks of Vaishali and describes its people as honest and religious.<sup>5</sup> In the thirteenth century, the Simraon dynasty was established by Nana or Nanyupa Deva who ruled from Simraon. Later on, the Sugaona dynasty ruled over it in which Kameshwar Thakur and Raja Siva Singha were important rulers who were recognized by the rulers of Delhi Sultanate.<sup>6</sup> Mughal first emperor Babur mentions of Tirhut in his memoirs. It was said that Raja Rup Narain of Tirhut granted a tribute of 5,25,000 silver *tankas* to the Mughals.<sup>7</sup>

Muzaffarpur has a long history of land revenue administration that goes back to the time of Mughal Emperor Akbar where his Finance Minister Todermal fixed the land revenue of Rs. 11,63,020 of a total area of 81,737 of *Sarkars* Tirhut and Hajipur that was about Rs. 1.7 per acre.<sup>8</sup> During the reign of Bengal ruler Alivardi Khan, this revenue was raised to Rs. 17,98,576. It was divided into 102 *Mahals*. There was an office of *komungo* who used to collect the land revenue in Bihar *Suba* with the share of 8 *annas* per Rs. 100 as remuneration and was also paid with *dastur* and *nankar*.<sup>9</sup> After *Diwani* right in 1765, the British appointed Raja Sitab Roy to supervise for revenue collection of Bihar, but very soon, a collector was appointed first time in 1771 that too proved to be unsuccessful. Later on, an *amil* was made responsible for the revenue collection. After that, both Five Year Settlement in 1772 and Annual Settlement in 1778 were introduced. In 1782, Francois Grand was appointed as collector of Tirhut who got involved in private trade and introduces the indigo cultivation in the district. His private commercial activity was caught by Lord Cornwallis in 1787 and he was replaced by Robert Bathurst.<sup>10</sup> Sir John Shore was made responsible for regulating the land revenue who directed the Tirhut Collector to collect all dues and maintain regularity. The collector was also given the power to punish the zamindars who go against the Collector's order.<sup>11</sup>

After the Permanent Settlement 1793, the land revenue was fixed on the basis of areas and the zamindars were directed to pay fixed *jamma* on given date at the share of one-tenth of the income of the estates. Total land revenue was fixed on 9,83,642 that costs of 9 *annas* per acre. In the beginning, there were a very few numbers of zamindars in the district. However, the emerging benefits from the revenue, the estates began to be sold that resulted in a large number of petty-zamindars. Total numbers of zamindars in Muzaffarpur was 13001 in 1879-80 which increased to 20191 in 1899-1900.<sup>12</sup> The size of

the estates also decreased over a period of time. In 1870, the average size of an estate was 303 acres, but by the end of the century, it reduced to only 93 acres.<sup>13</sup> No such changes had been noticed in the land revenue paid to the government over a period of time. In 1901-02, the Rs. 9,77,440 was collected from 20,341 estates. However, there was a huge change in the taxes collected from the tenants as time went on through imposing various types of taxes. In 1911, the numbers of estates increased to 22,174. During the time of independence, there were total 25,575 estates and Rs. 9,58,539 was to be collected as the total revenue from the district.<sup>14</sup>

The first great revenue survey was done in Tirhut in 1843 which found a large number of lands without assessment. It counted 6,114 square miles as an area of the district divided into 7,586 villages with Rs. 14,62,548 of land revenue that was just of 6 *annas* per acre. According to a survey done in 1892, the total holdings in Muzaffarpur was 9,70,495 with 4,505 villages at the average size of 1.97 acres.<sup>15</sup> The land of 67,729 acres was held by the private proprietors that were 4% of total agricultural land covering 1.63 acres of average size. Another 1,95,910 acres or 11.5% of the land was under direct cultivation. Most of the land that was about 74.8 % or 12,70,474 acres were held by the *raiyats* at the average size of 1.64 acres.<sup>16</sup>

The rents were both paid in cash and kinds. It was found that the *raiyats* were forced to pay the same rents in kinds of the land which were being used for fruits especially mangoes, while rents were collected in kind from another land which produces valuable agricultural products.<sup>17</sup> There were basically three ways in which the produce rents were collected by the zamindars such as *batai*, *bhaoli* and *mankhap*. In *batai* system, the crops were to be divided half-half among the landlords and tenants including the straws, but sometimes the landlords used to collect more than 55% of the total produce.<sup>18</sup> Although the *bhaoli* system was not much preferred in the district, nevertheless the landlords were given the share either in crops or in cash. The *mankhap* system was mainly practiced in the estates of the Raja of Sheohar where an annual rent of 8 to 12 *moun* was fixed per acre, no matter whatever the product may have been grown or not.<sup>19</sup> If the rents were to be paid in cash, then Rs. 3.11, Rs. 3.12, Rs. 4.5 and Rs. 4.8 were collected from *raiyats*, occupancy *raiyats*, non-occupancy *raiyats*, and under-*raiyats* respectively.



The Land Reform Act 1950 abolished the zamindari system, but the state did not succeed in taking all land and revenue records from the zamindars. Thus, the state had to appoint many officers and clerks to maintain the records. In order to follow the proceedings of land ceiling and its redistribution among the landless peasants and agricultural workers, many new offices and posts were created. In Bihar, the district was to be administered by the District Collector and all other's officers were subordinated to him. After independence and especially after the Land Reform Act, the new office of Additional Collector (AC) was created who was responsible for land revenue and land ceiling. Another office of Deputy Collector of Land Reform (DCLR) was established in each subdivision of the district. The subdivision was divided into circles headed by Circle Officers (CO), and each circle was divided into *halka* which was held by Revenue Clerks on the basis of 'population roughly on a unit of 3,000 persons and an area of 5 squares miles'.<sup>20</sup>

The land per capita in the district was 0.55 acre in 1951 which declined to 0.47 acre, while agricultural land per capita was only 0.36 in 1961 compared to 0.43 in the state.<sup>21</sup>

Table No 3.1  
Households engaged in cultivation by size of land in acres

S.N.	Size of Holding	No of Holding (Rural)	No of Holding (Urban)
1	-1	43027	533
2	1.0-2.1	27504	203
3	2.5-7.4	26132	207
4	7.5-14.5	7667	70
5	15.0-29.9	3094	49
6	30.0-49.9	848	17
7	50+	433	17
	Unspecified	40	2
<b>Total Households</b>		<b>108745</b>	<b>1098</b>

Source: Indian Census Report, 1961.<sup>22</sup>

There was a large differentiation in the size of the holdings of land in the district. The below-mentioned table no. 3.1 clearly displays in which manner the land has held the landlords and tenants.

The Census of India, 1961 clearly shows that there were 433 households who had more than 50 acres of land, while 40 households had so much amount of land that was not able

to count by the Census officers. One such zamindar known as Baidnath Prasad Singh had 782 acres of land at Indian independence.

### **The Case of Zamindar Baidnath Prasad Singh**

The nature and proceedings of the case of *Baidnath Prasad Singh & Ors vs. the State of Bihar* clearly point out the conditions and circumstances in which the state machinery had tried to acquire land from the landlord and to what extent it succeeded in implementation and redistribution of land to the landless peasants of the state. This case is registered in the office of Additional Collector of Muzaffarpur District.<sup>23</sup> Baidnath Prasad Singh was the son of Ram Newaj Singh and residing in the village of Rohua of Muzaffarpur. He had 782.15 acres of land in total in the various villages of Muzaffarpur. He had another land as well in the districts of Patna and Kathihar.

In 1970, a notice was given to Baidnath Prasad Singh (hereafter the landlord in this sub-theme) under Section 11 (1) of Land Ceiling Act<sup>24</sup> to file a return as soon as possible. The landlord delayed in filing the return and asked more time for next two months under Section 8 (1) on November 17, 1973. His manager Haridwar Ray had already asked for one week that expired on October 24, 1973, but he did not file the return. On landlord's failure to file the return within a given period, the 'show-cause' notice was brought against him under Section 8 (2) of the Act. The case had been moving from office to office for many years. Earlier it was brought in the office of DCLR, then Additional Collector. After the Collector's decision, the landlord moved to the Board of Revenue, then after he appealed to the High Court. It took about 20 years to be resolved the problems and only after 25 years, the land ceiling had started on the landlord's land which was very limited.

On February 2, 1991, the Patna High Court had given six weeks of time to surrender the land to land ceiling authority or to file the case in the court. After a long gap of two years, the landlord filed a complaint to the AC alleging that the Circle officials had issued and distributed *parcha* of land to the landless labourers without informing him who was the owner of that land. He blamed the Circle officer and landless peasants for doing anti-law activities as they were ceiling and distributing his land. In one case, the landlord had to return the possession of land to the peasants who had been cultivating the land for a long

time. But he had not returned land as he claimed that he had no further continued right over that land which was already sold to another person. The landlord wrote to the CO of Kurhani Block that he would give another land to the peasants in place of the land they cultivated. But the peasants had not been able to take or capture their land because they were neither given the record nor any *khata* or *khesra* number.<sup>25</sup>

There was a large discrepancy in the number of the acres of land. Earlier the form 5 of Land Ceiling recorded 782.15 acres of land in the name of Baidnath Prasad Singh. But over a period of time, it was decreasing. The Circle Officers claimed that there was a mistake in form 5 in 782.15 acres were recorded, but in reality, the landlord had only 778.91 acres of land. The Officers again identified that there were only 688.99 acres, and then again a mistake was in the calculation because the landlord had only 670.97 acres of land.<sup>26</sup> Total differences between the form 5 and new calculation by the Circle Officers was of 111.16 acres of land.

It was again claimed by the landlord that 19.38 acres and 8.28 acres of total 670.99 acres had already been transferred to his daughter Girija Kumari and Madhuri Devi as a form of the gift. Therefore, he asked the ceiling authority not to count 27.66 acres (given as the gift) in the final publication for the land ceiling. However, it was once cross checked in the *khatiyan*, it was found that only 15.91 acres and 7.75 acres had been given to Girija Kumari and Madhuri Devi. This fact was also neglected by the ceiling authority and they became ready to adjust 20.66 acres in the name of landlord's daughters as per the case details found from the case filed on October 10, 1959. Thus, the landlord was asked to file the return of 650.31 (670.97-20.66) acres of land within a given period.

Table No 3.2  
Quantity and Types of the landlord' land

S.N.	Type of Land	Areas of Land
1	I	---
2	II	359.81
3	III	285.78
4	IV	4.72
5	V	---
<b>Total Area of Land</b>		<b>650.31</b>

Source: *Baidnath Prasad Singh vs. the State of Bihar*

The discrepancy is also found in the type of land. The Land Ceiling Act categorised five types of land based on nature of cultivation. The landlord was entitled to keep only 15 acres of land of type one.<sup>27</sup> The table No 3.2 clearly displays how the landlord categorised the type of land under his possession.

It was not the matter of acceptance for anyone that a landlord cannot have a single acre of Type I land. During my fieldwork, I have seen that many of lands which have been described as Type III land can be classified as Type II land.<sup>28</sup> However, the landlord claimed that except 11.49 acres of land, all his land belonged to Type IV and V.<sup>29</sup>

Nonetheless, the landlord was given 7 units of land to his 7 divided families of 20.574 acres of land to each unit. According to Land Ceiling Act, the One Family Unit consisted of a husband, wife, depended on sons and daughters. Finally, the return case was filed by the landlord in 1975 in which he gave the details of 165.51 acres in Kurahni Block and 495.45 acres of Musahari Block. Once it was counted then it was found that his land had now increased from 650.31 acres to 660.96 acres, and again after some mistakes, 661.55 acres was decided to be correct by the Circle Officers of the both blocks.<sup>30</sup>

Another dramatic objection filed by the landlord was that he claimed that his all property belonged to his father who died in 1949. After the death of his father, the property was divided between him and his mother Kaushalya Devi. Her mother had gifted the land of 56.03 and 54.0 acres to her grand-daughters who were the landlord's own daughter. The landlord declared that her mother's remaining property (330.77-110.03) was gifted to her grandsons who were the landlord's sons themselves. Another claim was made that 77.56 acres must be excluded from the ceiling of his land. He again stated that 9.81 acres were recorded as wrongly, 4.08 acres belonged to other's tenants and 18.28 was under *man* and *garha* which were not fit for cultivation. Thus, these must also be excluded from the ceiling. His other objection was that he had given his land of 7.50 acres to *bhoodan*, 12.97 to BPPHT and 9.17 was allowed for cutting land from the ceiling out of the total land. Another 153.93 acres of land was claimed to belong to the *bataidars* or sharecroppers of Musahari and Kurahni block in which 54.08 and 99.85 acres were respectively under them.<sup>31</sup> Finally, 99.12 acres of land was deducted from his ceiling that was not belonging to his property and remaining land 562.43 (661.55-99.12) was filed for return.

Table No. 3.3,  
Land Out of Ceiling

S.N.	To Whom Given	Areas of Land
1	Gift	77.56
2	Bhoodan	3.5
3	BPPHT Act	4.81
4	Acquisition by Govt.	9.17
5	Wrong Record	4.08
<b>Total Area of Land</b>		99.12

Source: *Baidnath Prasad Singh vs. the State of Bihar*

Another point of contention was over the unit of land. The genealogical records of landlord clearly mentioned that the landlord had six sons who were all married. Thus, the landlord had 7 unit of land. However, the landlord's son Lalan Prasad Singh filed a petition that his adult son Anup Kumar Singh was also entitled to get a separate unit as he fulfilled criteria. Lalan Prasad Singh claimed that his son was born on May 3, 1953, and was an adult at the time when the land ceiling started in the state. Anup Kumar Singh was allowed to keep one unit of land in his name. Thus, the landlord was given 8 units of land and the remaining land was decided to proceed for the ceiling.<sup>32</sup> The AC had sent all details of this ceiling case for publication so that further required actions could be taken. But just after the publication of the case, the landlord, and his sons filed a writ in the High Court with case no 2781/90. The Patna High Court allowed the landlord to select the land of his choice and file for the same within six weeks of the order in the court of AC. However, the landlord did not file the return on the given date, then asked further time after due date. His request was rejected by the AC. He again moved to the High Court who granted further relief to the landlord.

Since the AC was not able to proceed for the ceiling of the land due to the strike of Revenue Clerks, so he gave a date to the landlord for hearing. But the landlord's son Heera Singh did not attend the hearing due to which no decision was taken by the AC. Later on, Heera Singh stated that he had filed a separate application in the AC's office for counting him as a single different share because he had been living separately from his father. Heera Singh filed a writ petition with case no 291/92 in the High Court. In his response, the High Court asked the AC to stop the publication and distribution or ceiling of land until the case was resolved.<sup>33</sup>

The High Court also ordered the AC to investigate that Heera Singh had been living separately from his father or not before September 9, 1970. The date of birth of Heera Singh's son Ajay Shankar Singh was asked to be investigated. The AC had asked the Musahari CO to send the birth certificate of Alok Kumar and Abhay Kumar who claimed a separate unit of land because he was an adult at the time when a claim was filed at the time when land ceiling had started.<sup>34</sup> In the investigation, the AC found that Heera Singh had been living separately with five family members, but his son Ajay Shankar Singh was only five years old on the said date.<sup>35</sup> But again Heera Singh claimed that his son was an adult at that time. Then the Deputy Collector Land Reform (DCLR) considered for the medical test through the direction of the Supreme Court or High Court in order to confirm the actual birth date of Ajay Shankar Singh. The DCLR asked why Ajay Shakar Singh did not file for a separate unit in 1970 when the ceiling proceedings started if he was an adult at that time.<sup>36</sup>

The DCLR found that Ajay Shankar Singh was the student of Vishwanath Singh High School and according to the school record, his date of birth was April 5, 1965. It means that he was just 5 years and 4 months old when ceiling proceedings started. However, Heera Singh again filed a complaint to take one share for his son Ajay and another 2/10 unit for his other two sons. The AC dismissed his application. He moved to the Collector who allowed him to take one unit in his name under Section 10 (3) Land Ceiling Act. He was directed to file his choice of land and may file a case against it until March 30, 1993.<sup>37</sup> Nevertheless, Heera Singh again said that his son had been living with his maternal uncle who took him enrolled in a school with the wrong date of birth. He submitted a medical record signed by Dr. B.D. Mishra that he was 42 years old in 1993, so he was an adult in 1970. The DCLR found it more liable than school record and he further ordered to constitute a medical board to prove the birth of Ajay Shankar Singh. However, the AC denied in doing so as he called this way as illegal and asked Heera Singh to provide authentic birth proof, otherwise, the publication can be done for the ceiling. Heera Singh challenged the AC's order before the Collector and asked for a separate unit for his son and also for his daughters because there were more than five members in a family. However, the Collector dismissed his appeal by saying that:

The claim of his being major on 9.9.1970 appears to be totally baseless and imaginary. Not much credence can be placed on such claims in absence of any valid document.<sup>38</sup>

Heera Singh again filed the case against the Collector's order stating that Medical Certificate provided by him must be acknowledged and regarded as authentic, because that had been signed by the Doctor who was a professor and head of the Radiology Department of S.K. Medical College, Muzaffarpur. He again submitted another X-ray from Dr. Rajesh Kumar Verma who was also the head of the ortho department of the same hospital.<sup>39</sup> After a long debate and fight against the DCLR, AC and the Collector, the landlord moved to the Board of Revenue who gave following decisions:

Board of Revenue is not a court merely to correct errors or lack of jurisdiction or failure to exercise jurisdiction or material irregularity but instead of a forum for unlimited appeal... The Ceiling case no 80/73-74 initiated in the year 1973 has dragged for 20 years and has yet not reached it's finally. I, therefore, on the basis of the materials available hold that the petitioner no 2 was major on 9.9.70 and is entitled to a separate unit of land... On the basis of the inquiry report dated 4.2.93 as well as other materials on record, I hold that the petitioner's family is entitled to retain lands admissible for two units as well as two-tenth (2/10) of the Ceiling area for that class of land for two additional members in the family of the petitioners.<sup>40</sup>

Out of total area of land belonging to the landlord, the AC Office finally found only 121.96 acres under Land Ceiling Act for the distribution among the landless peasants and agricultural labourers.

The biggest question that one must ask is that if the landlord and his families were allowed to keep 8 units out of total land of 562.43 acres fixed to file for return after giving the relaxation of 99.12 acres of land which had been given to the state and tenants by various means, then how the Ceiling authority had fixed only 121.96 acres of land for ceiling from the landlord.<sup>41</sup> As per the Land Ceiling Act and calculation based on the type of land, the landlord was only entitled to keep only 167.20 acres of land as he was

allowed for 20.5.74 acres of land per one unit. At this rule applied sincerely, then about 395 acres of land should be taken away from the landlord under the Land Ceiling Act. But the AC filed for only 121.96 acres of land. The Ceiling authority did not clarify on what ground only 121.96 acres were being taken for publication for ceiling and why all remaining land (562.43-121.96) were left under the ownership of the landlord. The politics over keeping oneself from the Land Ceiling Act did not get over. Other various kinds of techniques were employed by the landlord and Ceiling authority in order to defeat the Land Ceiling Act.

It is clear that the Ceiling authority finally agreed to take 121.96 acres of land from the landlord. However, only 74.71 acres were found to be good cultivatable land for distribution and 47.25 acres were unfit for distribution.<sup>42</sup> The question is if 47.25 acres of land were not fit for the cultivation, then why the Ceiling authority had taken such land from the landlord. The table no. 3.4 clearly points out the areas of land as how such land was called unfit for cultivation.

The landlord had given 9.49 acres of land belonging to Kanhauli Vishnudatt village to the Ceiling authority. Out of 9.49 acres, a High school was running on 2.74 acres, while 3.2 acres were being used by the landlord for his farmhouse. Another land of 2.52 acres had already been sold by the landlord. On the other hand, the Ceiling authority was unable to trace and operate for the ceiling of 1.08 acres.<sup>43</sup> A land of 16.52 acres had been given by the landlord in the village of Bela Chapra. The following land of 16.52 acres was not taken by the Ceiling authority because these lands were being used for industrial purposes. Another 1.88 acres of land was recorded for ceiling from the village of Rohua Rajaram but the said land was under other's control. The Same case was with 2.32 acres of land in Raghunathpur village. In Musahari *urf* Radhanagar village, the landlord had given the land of 0.74 acres on which the landlord's own house had already been there. Due to the homestead land, the Ceiling authority did not take the following land for the publication. The Ceiling authority also did not succeed in taking the land of 15.54 acres lying in the villages of Khotia.<sup>44</sup> Thus, it became tough to answer why the ceiling authority had filed for such land which was already known as unfit for redistribution.



Table No 3.4  
List of Land Declared Unfit for Cultivation in Acres

S.N.	Land Where Located	Khata	Khesra	Rakba	Status
1	Kanhauli Vishnudatt	450	350	1.08	Under Operation
			349	3.20	Farmhouse
			367	1.67	Sold
			552	0.85	Sold
			607	2.74	SNSH School
2	Bela Chhapra	165	805	0.33	
			823	0.33	
			801	0.34	
			936	0.59	
			849	0.85	
			843	0.89	
			1386	0.75	
			1378	6.34	Under Industrial Area
			1357	5.01	
			1389	0.13	
			1351	0.36	
			1337	0.53	
			1313	0.07	
553	0.25				
3	Rohua Achhup	266	226	0.06	House
			58	0.18	
			1391	0.31	Under Operation
4	Rohua Rajaram	141	329	0.03	House
			852	0.62	Under other's record
			1242	0.12	Under other's record
			1228	0.14	Under other's record
			1251	0.84	Under other's record
1063	0.13	Printed double			
5	Raghunathpur J	112	463	2.32	Under other's record
6	Gopalpur Taraura	128	156	0.03	Madarsha
7	Musahari-Radhanagar	399	2143	0.13	Already distributed
			2142	0.12	Self
			2126	0.17	Self
			2296	0.11	House
			2300	0.10	House
2295	0.11	House			
8.	Kothia	97	191	9.97	
			185	0.40	
			588	0.33	
			682	0.33	
			276	0.24	
			522	0.33	Under Operation
			198	2.01	
			439	0.15	
			250	0.34	
123	0.57				
			597	0.87	
<b>Total Land Unfit for Distribution</b>				<b>47.25</b>	

Source: *Baidnath Prasad Singh vs. the State of Bihar*

Table No 3.5  
List of Land to be distributed among Landless Tenants in Acres

S.N.	Tenant Name	Khata	Kheshra	Rakba	Status
<b>Musahari Urf Radhanagar</b>					
1	Chaitu Paswan	300	1450	0.39	
2	Suyai Ram	300	1622	0.39	
3	Baldev Manjhi	300	1964	0.35	
4	Arjun Baitha	300	1964	0.12	
5	Deepan Paswan	299	1910	0.35	
6	Machhu Ram	299	1971	0.42	
7	Nathnuni Ram	299	1910	0.24	
8	Raghu Ram	299	1906	0.24	
9	Mithu Ram	299	1906	0.24	
10	Musan Ram	300	1846	0.35	
11	Chaturi Paswan	300	1676	0.29	
12	Subhalal Ram	300	2240	0.08	
<b>Bhataulia-Musahari</b>					
1	Faguni Ram	61	331+272	0.38	
2	Munilal Ram	61	270	0.40	
3	Baldev Ram	61	270	0.40	
4	Kalia Chamain	61	270	0.41	
5	Umesh Ram	61	327	0.39	
6	Shivdhari Ram	61	327	0.38	
7	Anuchit Ram	61	272	0.30	
8	Durkatia Devi	61	270+272	0.30	
<b>Rohua Beernarayan</b>					
1	Sogarath Churidaha	61	47	0.43	
<b>Rohua Rajaram</b>					
1	Rajesh Paswan	140	1231	0.49	
2	Kamal Paswan	140	1231	0.42	
3	Surendra Paswan	141	282	0.48	
4	Bilash Paswan	141	1229+129	0.50	
5	Reejhan Paswan	141	1229	0.43	
6	Sakl Paswan	140	1236	0.38	
7	Rajendra Paswan	140	1236	0.38	
8	Mahendra Paswan	140	1230	0.50	
9	Rampreet Paswan	140	1230	0.50	
10	Ramchandra Paswan	141	1279	0.29	
11	M. Dhaneshwari	141	1279	0.29	
12	M. Agiya	141	1283	0.49	
13	Sonelal Paswan	141	1283	0.49	
14	Devki Devi	141	1283	0.50	
15	Triveni Paswan	141	1277	0.35	
16	Gannor Paswan	141	1277	0.35	
17	Patilal Paswan	141	1277	0.36	
18	Sunder Paswan	140	1254	0.36	
19	Lakhindra Paswan	140	1237	0.48	
<b>Total Land Listed for Distribution</b>				<b>14.89</b>	

Source: *Baidnath Prasad Singh vs. the State of Bihar*

The table no. 3.5 contains the list of the landless tenants and agricultural labourers residing in the various villages of Masarhi block of Muzaffarpur district. The Ceiling Authority listed them for redistribution of land among them. However, the Ceiling authority had already claimed that it had only 121.96 acres of land from the landlord in which 47.25 acres were uncultivable land, so that land could not be used for the redistribution among the tenants and agricultural labourers. The remaining land of 74.71 was fixed by the Ceiling authority for redistribution. However, only 40 beneficiaries of four villages of the Musahari block were listed for the distribution of only 14.89 acres of land.<sup>45</sup> The other remaining land (74.71-14.89 acres) was not sent for the publication in the gazetteers and nothing had been done on that land.

Apart from all these, most of the tenants and agricultural labourers, who were listed for the allotment of land out of 14.89 acres in different villages of Musahari block, have not got their land registered till date. 12 beneficiaries, who were listed for the allotment of land from the village of Musahari *urf* Radhanagar, have not got their land till now.<sup>46</sup>

One thing that needs to be pointed out that all 12 beneficiaries listed for land allotment belonging to Schedule Caste. However, the Revenue Clerk claimed that some land of the landlord had been given to some tenants of the villages belonging to middle caste who named their surname as Sahni.<sup>47</sup> All of them got the land from the same *khata* no 300 from which above mentioned 12 beneficiaries were listed for the allotment. However, the Revenue Clerk confirmed that this land was transferred to the Sahni caste in 1976-77, but the clerk was not sure that the following land was transferred with a financial transaction or not. Since the land had been transferred in 1976-77 and the landlord's land began to be acquired in 1993 after a long proceeding of judicial cases, it became clear that land transferred to the Sahni caste must have done with a financial transaction, because it was not done by the Ceiling authority.

### **Judicial Proceedings of Important Cases Regarding Land**

The politics of land ceiling and other legal aspect employed in the proceedings can be understood through a range of cases brought under the jurisdiction of the DCLR, AC, Collector, Board of Revenue and the High Court. One such important case of the ceiling of the land in the Motipur block is the case no 578/74-75 registered in the Additional

Collector's office. This case points out how both the landlords and district officials prepare reports and delayed in the proceedings of the land ceiling. This case was started in 1974. After a careful inquiry of all aspects of land, in September 1982, the AC found that the landlord's son was major on September 9, 1970, and allowed the landlord to keep two units of land that was of 60 acres of type IV land, and remaining 2.44 acres were declared surplus land.<sup>48</sup> The transfer of 15.73 acres of land to the landlord's wife was also nullified. However, the AC recalled his order and put stay on the final publication of the said land. On the AC's second order, the Circle Officer informed the landlord that he had the land more than the ceiling, so he was being directed to appear before the CO with 'all relevant papers failing which the matter was to be referred to higher authorities for appropriate actions. The landlord challenged the AC's order and CO's notice while alleging that the CO did not have such jurisdiction. The High Court set aside the AC's order considering that the Bihar Land Ceiling Act does not empower the AC to recall his own judgment. Therefore, the High Court allowed for the fresh inquiry in the case by the Board of Revenue.<sup>49</sup>

There was such another case filed by Chameli Devi who and her son Kapildeo Shah had purchased some amount of land said to be lying under the ceiling jurisdiction of the district administration.<sup>50</sup> Their purchase was challenged by the pre-emptor who had been cultivating over this land before it on the ground that the purpose of the land was being misused. Earlier this land was used for agricultural purpose. The pre-emptor had filed the case in the court of DCLR with case no 13/80-81 under Section 16(3) of Land Ceiling Act. The DCLR firstly rejected the pre-emptor's' appeal, but later on accepted the appeal after it was reconsidered by the Collector. He held that the purchasers had illegally constructed a building on the said land and did not provide any documents to prove that this land belonged to them. The purchasers then appealed to the AC who reinvestigated the case and found the purchasers as the owner of the land. The AC's order was challenged in front of the Additional Member, Board of Revenue, Bihar for which a single judge considered in the CWJC No. 7210/1997 that the purchasers were 'not raiyats to the vented land nor the land was recorded as homestead whereas'.<sup>51</sup> However, the High Court had given a verdict to the purchasers while considering that this land was not defined as homestead or agricultural land as per the landholder's record and the Board of Revenue's order was not based on the principle of law. Finally, the AC's order was affirmed and the land was given to the purchasers after three decades.

A case regarding the tenant's exploitation can be traced in the district of Muzaffarpur where the tenants were being forced by the landlord to vacate the land in the false claim of failure to rent monthly. A case was filed by the landlord Chiranjilal Poddar in the Collector's court alleging the tenants that they had not been paying the rent of Rs. 33/- per month for the last 14 months between 1953 and 1954 under Section 11 (1A) of Bihar Building (Lease, Rent, and Ejections) Control Act, 1947. The collector had ordered the eviction of tenants stating that they had 'defaulted in payment of rent.'<sup>52</sup> However, the Divisional Commission set aside the Collector's order for the eviction of the tenants and gave the relief to the peasants. The landlord then challenged the Commissioner's order in the High Court. The tenants told the High Court that they had an agreement with the landlord that they would pay the rent in four-five months. Sometimes, the tenants were also not given the receipt and the rent rate had been increased from Rs. 18 to 24 in 1947 and then Rs. 33 in 1948. The landlord had been increasing burdens on the tenants. The High Court held the increased rent rate as illegal and ordered to do the proper counting of rent balance and asked the collector not to evict the tenants from that property.<sup>53</sup>

Another such case was also recorded in the Land Ceiling Case No 12/2001-02 where the pre-emptor filed a complaint in the DCLR's office to recapture their land sold to Ghanshyam Chaudhari and others. The disputed land of 2.2 acres with *khata* no 135 *khesra* no 665 belonged to a tenant Ramphal Rai.<sup>54</sup> It was claimed that Ramphal was asked by many persons to sell his land. He sold the same land for the agricultural purposes in 1988-89. However, the purchasers had used the land for residential purposes. The tenant claimed in the court of the DCLR and Collector who disallowed the said land as to be residential because the nearby area of this land had been under Municipal Corporation. The Board of Revenue set aside the Collector's order considering that the nature of land mentioned in the revenue documents was agricultural land and the area cannot be used for residential purpose because the sanitary condition was very bad in that area as per descriptions are given in a local newspaper. Since the land was being purchased by many persons in a small area, so the High Court suggested the Board of Revenue make a fresh inquiry and then come to conclusion.

The land ceiling case in Sahebganj block of Muzaffarpur district clearly denotes the ways in which politics were being done from saving the land from the ceiling. One such case

was in the name of Pashupati Devi who claimed for two units of land and showed that she did not have surplus land. The land is in Rajepur village of *khata no 69* and *khesra no 717, 721 and 927*.<sup>55</sup> The AC accepted her request and ordered for the publication of gazette notification. However, after some time, the Ceiling authority found that Pashupati Devi had more land out of ceiling limit. The ceiling case was reopened without informing the landowner under the Section 45B of the Act and they found 4.19 acres of surplus land in the name of Pashupati. Pashupati then moved to the High Court where she challenged that her daughter was already married and 37-year old at the time ceiling case started on September 9, 1970. She claimed that she was qualified for two units and did not pose any surplus land that she may surrender for redistribution. The High Court accepted her application and gave decisions in her favour.<sup>56</sup>

### **Mapping the Cases of Land Distribution**

The land was planned to be redistributed among the landless farmers and agricultural labourers both for cultivation and households. In Bihar, there are a large number of labourers depending on agricultural works and its allied activities. Most of them are still landless even for their home. They had been living in their temporary huts built on their owner's land or government land. The state government had decided to provide at least 2 decimals land to all homeless for their house under BPPHT Act 1947.<sup>57</sup> The state used the land taken from the land ceiling and *bhoodan* in order to distribute land to them. It also bought and gave its own land to the landless people of the state. However, the question emerges if all land distributed to the landless peasants and agricultural workers have been successfully completed. Have they all got the land distributed in their name, or was it merely in the papers? My fieldwork in the two blocks of Muzaffarpur district was to find out to what extent land ceiling and its redistribution has been successful in the district. In the earlier part of this chapter, I have pointed out how the landlords and competent ceiling authorities had done their politics in the proceedings of the land ceiling.

Before highlighting the method in which land was distributed and what were the barriers against it, I would like to trace some of the important facts based on the circle records of Sakra block regarding land ceiling and its distribution. There were different categories of land from which land had to be distributed such as *bhoodan*, *bhu-hatbandi*, *gair-mazarua-khas*, and *gair-mazarua-aam*. Under *bhoodan* categories, till date, 554

beneficiaries were recorded to get land totalling 183 acres and 77 decimals from the various villages of the block.<sup>58</sup> However, 187.18 acres were collected and fixed for redistribution under *bhoodan* in the block. The remaining 3.4 acres of land was not able to trace and confer by the DCLR of East Subdivision of the district. Under *bhu-hatbandi* (land ceiling), there were total 171.79 acres of land for redistribution, but only 156.56 acres were distributed among the peasants, and remaining 15.53 acres were not traced by the competent authority.<sup>59</sup>

Table No. 3.6  
Areas of Land to be distributed in Sakra Block in Acres

S.N.	Land Categories	Received	Distributed	Untraceable/ Unfit	Benefited Peasants
1	<i>Bhoodan</i>	187.18	183.77	3.4	554
5	<i>Bhu-hatbandi</i>	171.79	156.56	15.33	174
3	<i>Gai-mazarua-khas</i>	756.36	139.39	616.97	810
4	<i>Gai-mazarua-aam</i>	--- (48)	48	---	14
	<b>Total</b>	1163.33	527.42	635.7	1552

Source: CO Office, “Land Distribution Report”, September 2016, Sakra Block.

The Circle Officer confirmed that they had not been able to trace the location of land due to the confusion in the *khata* and *khesra* numbers of land.<sup>60</sup> The question arises here that if the following said land has not yet been traced even the land coming from the land ceiling, then why the ceiling authority did not make pressures on the landlords whose land had been taken. From what has been noted earlier, it became clear that in many cases the landlords provided such land to the ceiling authority which was not easy to be traced. Same case happened in Sakra block where the Circle Officer was not able to trace the land that came from *bhoodan* and *bhu-hatbandi*. In *gair-mazarua-khas* land, only 139.39 acres of land was distributed among the people, and 616.97 acres of land was declared unfit for cultivation due to various reasons. However, no report had been prepared for the remaining land of 455 acres, because the block had a total of 756.36 acres of land under this category. While under *gair-mazarua-aam* land, only 16 people were given land with 48 acres in various villages of the block. Nevertheless, apart from all this, 1093 landless peasants and 117 landless agricultural workers were given the land from BPST and purchased land.

The Circle reports clearly display that total 1163.33 acres of land had been received from all sources for redistribution, in which 527.42 acres were distributed among the 1552

landless peasants and agricultural workers. It only failed to distribute the remaining land of totaling 635.7 acres due to various reasons like untraceable and unfit for cultivation. However, the case was not what the data has been painting in the circle reports. Through my field work, it has become clear that a small fraction of land out of 527.42 (claimed to be distributed by the Circle authority) was actually occupied and cultivated by the peasants to whom the land had been distributed.

Another important aspect of land redistribution was the way in which land was distributed to the landless peasants and what kinds of politics and techniques have been adopted by the distribution authorities and local landed magnates. My field work in different villages of various blocks of the Muzaffarpur district revealed some interesting aspects on this issue. The case from Baji Rauat, Banjaria, Berua Deah, and Mejhaulia of Sakra block, for instance, would show this aspect of distribution clearly. Here, land to be distributed came from categories of land coming from *bhoodan*, *gair-mazarua-khas*, and *baskit parcha*. Please see table 3.7 for the data reference.

Let me describe the cases of land distribution in the villages of Baji Rauat where Jitendra Kumar, Kamlesh Rai, Vinod Kumar Rai, and Faguni Rai had been allotted the land in the same village under *bhoodan* category. According to the Circle's record, Jitendra Kumar, son of Krishnadev Ram, had been listed for the allotment of 136 decimals of land in 2001.<sup>61</sup> I have contacted the said the colony where Jitendra Kumar is residing. Interestingly, I found that the beneficiary and his family members did not get any official letter or oral communication from the office of Circle Officer that the following land had been allotted to them. Mr. Kumar had total eight family members and had been living in an area of 3 decimals that belonged to other's property. His all family members were very happy with the news that they will get the land. However, the question is that if the following land had to be allotted in 2001, then why the land had not been given to the beneficiary till date. When I ask the same to the CO, he made a statement that the land is under other's control, and very soon the land will be allotted to the real beneficiary.



Table No. 3.7, List of Beneficiary, Sakra Block, Muzaffarpur (in Decimals)

S.N.	Ceiling Type	Village Name	Beneficiary Name	Father's Name	Khata No	Khesra No	Rakba	Status
1	Bhoodan	Baji Rauat	Jitendra Kumar	Krishnadev Ram	25,92,51,251	29,43,27,546	136	Under Progress
2	Bhoodan	Baji Rauat	Kamlesh Rai	Shivlal Ram	252, 258	299, 326	12	Under Progress
3	Bhoodan	Baji Rauat	Vinay Kumar Rai	Ramkaran Ram	212	31	4	Under Progress
4	Bhoodan	Baji Rauat	Faguni Ram	Ramsharan Ram	203,223,212	15,193,31	100	Under Progress
5	GM	Banjiria	Vinod Chaudhary	Rajeshwar Chaudhary	122	199	40	Under Progress
6	GM	Banjiria	Natthu Mahto	Late Nandan Mahto	122	306.328	12	Under Progress
7	GM	Banjiria	Rajendra Mahto	Late Nandan Mahto	122	328	4	Under Progress
8	GM	Berua Deah	Bhavichan Ram	Muneshwar Ram	485	998	141	Under Progress
9	GM	Berua Deah	Nathuni Ram	Sugeswar Ram	485	998	148	Under Progress
10	GM	Berua Deah	Muneshwari Devi	Yogendra Ram	485	998	35	Under Progress
11	BP	Mejhaulia	Renu Devi	Mohan Paswan	193	1583	3	Sold in 1970's
12	BP	Mejhaulia	Kismat Devi	Amarjeet Paswan	193	1583	3	Sold in 1970's
13	BP	Mejhaulia	Nera Devi	Ravishankar Paswan	193	1583	3	Sold in 1970's
14	BP	Mejhaulia	Yogendra Paswan	Rameshwar Paswan	193	1583	3	Sold in 1970's
15	BP	H. Bagahi	Bhola Mia	Isahak Mia	26	52/819	5	Under Judicial
16	BP	Baji Rauat	Vanshi Ram	Lalchandra Ram	214	577	3	Allotted
17	BP	Baji Rauat	Ramkalia Devi	Vishundev Ram	214	577	3	Allotted
18	BP	Baji Rauat	Jogi Ram	Sukun Ram	214	577	3	Allotted
19	BP	Baji Rauat	Ramjiwan Ram	Ganga Ram	214	577	3	Allotted
20	BP	Baji Rauat	Mahesh Ram	Dulli Ram	214	577	3	Allotted
21	BP	Baji Rauat	Shivaji Devi	Anandi Dhobi	214	577	3	Allotted

Source: Land Beneficiary List under Bihar Government, Circle Office, Sakra Block, Muzaffarpur District, Bihar-843105.

GM: *Gair-Mazarua-Khas*, BP: *Baskit Parcha*.

A 75-year-old Faguni Ram had been keeping the document of 100 decimals of land which he received from the Ceiling authority in 1985. He is still hoping to get the land where an officer come to his area and help him occupy his land. He admitted that he had been walking office to office to ask help for getting his land. The land that he was allotted in his name had been captured by the Yadav community belonging to his own village. Like Jitendra Kumar, he is living on a land belonging to others. During the time of the interview, he sometimes became aggressive towards the Circle officials who had been ignoring his appeals. For him, the Yadav community is “the biggest both in size and power, and nobody can do anything against them”.<sup>62</sup> The Yadav community of this village had captured many acres of land illegally which was listed for redistribution to the landless tenants and agricultural labourers. Even this prosperous community had also been cultivating the land that had been allotted to Jitendra Kumar. Two tenants belonging to the same community had also been allotted the land of 12 and 4 decimals under *bhoodan* category of land distribution. It was very easy for them to get their allotted land once they were listed for the same. Once the investigation was done, then it was found that no one had been paying the land revenue taxes for the land that had been allotted to Jitendra Kumar or Faguni Ram. Nevertheless, the Ceiling authority has not been able to help the beneficiary tenants and agricultural labourers for occupying their land.<sup>63</sup>

The cases of Banjaria village of Sakra block are the same where Vinod Chaudhary, Nathu Mahto, and Rajendra Mahto had been listed for land distribution of 40, 12, and 4 decimals respectively. Vinod Chaudhary is an agricultural labourers and part-time household workers. He was given a landslip in 1990's and tried to cultivate the land from the same time, but his land had been captured by another workman Naresh Paswan who had established a shop in that area. Vinod admitted that he filed many petitions and appeals in the office of CO, and in response, the CO visited his villages more than ten times in 20 years, but nothing had been done by the officers. Due to a heavy clash between the real owner of the land and illegal grabber, the land had not been used for cultivation from the time when it was filed to be distributed. Vinod blamed the Circle officials for it because he found them in touch with Naresh who may be funding them donations.<sup>64</sup> When I asked the CO about the status of this disputed land, the CO told that the following land is under judicial review in the court of Additional Collector, Muzaffarpur. However, Naresh claimed that this land earlier belonged to Bihar government that Vinod Chaudhary got allotted due to his acquaintance in the block.<sup>65</sup> Although, Naresh does not have any slip or

document that he would claim that land belonged to him, but Vinod Chaudhary poses all documents, however, he did not succeed in getting his land. The land allotted to Nathu Mahto and Rajendra Mahto has been cultivating by some prosperous peasants of that area and they were deprived of it.

The land distribution cases in the village of Majhaulia had totally failed. Three ladies and one man were listed for distribution of 3 decimals to each by the Circle officer under the land belonging to *baskit parcha*. They all have been surviving as agricultural labourers and do not have any possession of land even for their home. When I visited there, it was surprising to see that many of their neighbors have also landless for their home.<sup>66</sup> However, the Circle records show that the following disputed land had already been sold by another person from whom the government had acquired land for the redistribution.<sup>67</sup>

The Circle officer was successful in allotting 3 decimals of land to six agricultural labourers for their home in the Baji Rauat village. The following land was given to Vanshi Ram, Ramkali Devi, Jogi Ram, Ram Jiwan Ram, Mahesh Ram and Shivaji Devi. All beneficiaries claimed that they were listed under *baskit parcha* for many years ago, but they got their land after a long delay.<sup>68</sup> Nevertheless, they are very happy for getting land for their home.

Another eighteen agricultural labourers were given a land for the housing purposes in the villages of Mahmudpur Bhagnagri, Jagdishpur Baghnagri and Vishunpur Bhagnagri from different categories of *baskit parcha*, *bandovasti*, and after buying. All beneficiaries listed below in the table no. 3.8 have got their land allotted.<sup>69</sup>

The land was also distributed among Shivchandra Mahto, Jamun Ram, Sidhewar Ram, A.N. Jha, Daroga Paswan, Ram Surat Rai, Tuni Rai, Bhatbat Rai, Jamun Ram, and Bhagran Ram. Following land given them had been taken under the Land Ceiling Act for the landlords like Ramji Mishra, Shivchandra Mishra, Kameshwar Mishra, and Ram Sagar Mishra. The table 3.9 and appendix 7 clearly shows the list of the beneficiary of land who had already been prosperous peasants before they got the land. The Circle officer confirmed that all of them have been allotted with their land that had been listed for the distribution of land under the land ceiling (*bhu-hatbandi*) category.<sup>70</sup>

Table No. 3.8  
List of Beneficiary of Land in Decimals

S.N.	Nave of Village	Beneficiary Name	Khata	Khesra	Rakba	Category
1	M. Baghnagri	Vindeshwar Paswan	151	29	8	Bandovasti
2	M. Baghnagri	Krishna Devi	124	216	13	Bandovasti
3	M. Baghnagri	Yogendra Paswan	151	216	8	Bandovasti
4	M. Baghnagri	Bharat Paswan	151	216	13	Bandovasti
5	J. Bhagnagri	Hari Manjhi	1	2213	3	Baskit Parcha
6	J. Bhagnagri	Rajkishor Manjhi	1	2213	3	Baskit Parcha
7	J. Bhagnagri	Ashok Manjhi	100	54	3	Baskit Parcha
8	J. Bhagnagri	Rina Devi	100	54	3	Baskit Parcha
9	J. Bhagnagri	Rinku Devi	100	54	3	Baskit Parcha
10	J. Bhagnagri	Laxmi Devi	100	54	3	Baskit Parcha
11	J. Bhagnagri	Garib Manjhi	100	54	3	Baskit Parcha
12	V. Bhagnagri	Ramras Manjhi		2500	5	Baskit Parcha
13	V. Bhagnagri	Rambalak Manjhi		2489	5	Baskit Parcha
14	V. Bhagnagri	Kunkun Manjhi		2557	10	Baskit Parcha
15	V. Bhagnagri	Shigeshwar Manjhi		2440	4	Baskit Parcha
16	V. Bhagnagri	Girja Devi	68	404	3	After Buying
17	V. Bhagnagri	Surender Manjhi	1333	2212	3	After Buying
18	V. Bhagnagri	Upan Manjhi	634	2213	3	After Buying

Source: Additional Collector's Office, "List of Land Distribution in Sakra Block, Muzaffarpur. M: Mahmudpur, J: Jagdishpur, and V. Vishunpur.

Table No. 3.9  
List of Beneficiary of Land in Decimals

S.N.	Village Name	Beneficiary Name	Khata	Khesra	Rakba	Category
1	Berua Deah	Mahendra Mahto	951	455	29	Bandovasti
2	Berua Deah	Ruplal Ram	951	125	40	Bandovasti
3	Berua Deah	Shivchandra Paswan	1036	145	45	Bandovasti
4	Berua Deah	Shivchandra Mahkto	269	47	117	Bhu Hatbandi
5	Berua Deah	Jamun Ram	105	1259	100	Bhu Hatbandi
6	Berua Deah	Sidheshwar Ram	105	1259	100	Bhu Hatbandi
7	Berua Deah	A.N. Jha	279	1985	216	Bhu Hatbandi
8	Berua	Daroga Paswan	108	1376	221	Bhu Hatbandi
9	Berua	Ram Surat Rai	108	1376	500	Bhu Hatbandi
10	Berua	Tuni Rai	108	1376	300	Bhu Hatbandi
11	Berua	Bhagbat Rai	107	1378	400	Bhu Hatbandi
12	Berua	Jamun Ram	107	1378	34	Bhu Hatbandi
13	Berua	Bhageran Ram	108	1376	60	Bhu Hatbandi

Source: The CO's Office, Sakra block, Muzaffarpur

The Revenue clerk of the villages of Beraua and Berua Deah had a very few information about the land distribution under the land ceiling category. However, the local agricultural labourers and shopkeepers of the villages had confirmed that the beneficiaries like Ram Surat Rai, Bhagbat Rai, and Tuni Rai were very prosperous and had a good link in the Circle offices and police stations. The local agricultural labourers expressed that the government did the discrimination with them because most of them belonged to the low caste in the village. They claimed that:

The village had large numbers of agricultural labourers and most of them even do not have land for their house. But the government has done discrimination and distributed the land among the Yadav, Bhumihar, and Brahmin community, who had been already prosperous and wealthy.<sup>71</sup>

The land distribution under the Land Ceiling Act had aimed to provide the land to such categories of people who had been economically and socially deprived. However, the actual land distribution in the villages of Berua and Berua Deah clearly shows how the Ceiling laws had been undermined by the Circle officer, staffs, and local social and political elite.

### **Conclusion**

The study of land ceiling and its distribution in the district of Muzaffarpur clearly highlight the figures how the district ceiling authority had tried to seal the land and proceeded to redistribute it among the landless tenants and agricultural labourers of the district. The Ceiling authority of the district had taken initiative to ceil land and redistribute it from the very first day of September 9, 1970, when the state government had announced to take land from the landlord who had more land than ceiling limit. In many cases, the Ceiling authority ordered and issued notices to the landlords to file the return of their land from 1970 onwards, but the landlords did not respond to authority in the beginning. It was only after 1973 like in the ceiling cases of Baidnath Prasad Singh and Pashupati Devi, the DCLR, and Additional Collector registered the ceiling cases against the landlords, then after two-three years, the proceedings took place. It has earlier pointed out how the landlords in the case of *Baidnath Prasad Singh vs. the State of Bihar* had adopted different techniques in delaying the judicial proceedings of hearing against

the landlords by the Ceiling authority. The returned file was asked to Baidnath Prasad Singh in 1970, and till 1992 there was no outcome of this case. The case took a shape only when the Board of Revenue granted the landlord for eight units/shares of land. As per the Land Ceiling Act, the Ceiling authority was entitled to take 355.23 acres of land from the landlord and landlord was only allowed to keep 167.20 acres of land for all 8 units. But the Ceiling authority proceeds to take only 121.96 acres in which 47.2 acres were declared unfit for cultivation and remaining 74.71 were kept for the redistribution in which only 14.89 acres were published for the distribution among the tenants and agricultural labourers that never happened.

The cases of land distribution in the villages of Banjaria, Baji Rauat, Majhaulia, Jagdishpur Bhagnagari, Mohhamadpur Bhagnagari, Vishanpur Bhagnagari, Berua, and Berua Deah, have clearly shown the pictures of land ceiling and its distribution in the district of Muzaffarpur. There can be various reasons that may be listed for the failure of land ceiling and its distribution in the district. However, the lack of regular and authentic investigation by the Ceiling authority can be cited as one of the causes for the failure of land ceiling and its redistribution. In the case of Baidnath Prasad Singh, the Circle Officer prepared many wrong lists regarding the measurement of land belonging to the landlord in the beginning. Later on when the Ceiling Authority was asked by the Board of Revenue, Govt of Bihar, to allow the landlord to keep 8 units of land, then why the Ceiling authority did not proceed to ceil all land except 8 units that were about 167.2 acres. The cases of Mahant Onkar Giri, Chameli Devi, Pushpati Devi, Chiranjilal Poddar, and Ghanshyam Chaudhary show how the Ceiling authorities like the DCLR, AC, Collector, and Board of Revenue took too long time to deal with the respective cases. The Patna High Court also took too long of one-two decades in solving the cases. It has been found in many cases where the landslips had been distributed, but the land had not been occupied by the beneficiary tenants and agricultural labourers. It has been often seen the land distributed to the low caste tenants were captured by the middle and high caste peasants. In the villages of Berua and Berua Deah, the land had mostly been distributed among the high and prosperous peasants and the tenants and agricultural labourers were left at their mercy.

Overall, we can conclude that land reform in general and land ceiling and distribution in the state of Bihar failed due to all these factors noted above. Although the Acts finally

came, but the implementation fails to bring any substantial change to lives of people in the state who still remain landless and poor.

## References:-

- <sup>1</sup> Superintendent of Census Operation, *Bihar District Census Handbook: Muzaffarpur* (Bihar: State Government Publication, 1981), p. 3.
- <sup>2</sup> Superintendent of Census Operation, *Bihar District Census Handbook: Muzaffarpur* (Bihar: State Government Publication, 2011), p. 13.
- <sup>3</sup> *Ibid.*, p. 14.
- <sup>4</sup> P.C. Roy Chaudhury, *Bihar District Gazetteers: Muzaffarpur* (Patna: Superintendent Secretariat Press, 1958), p. 142.
- <sup>5</sup> *Ibid.*, p. 144.
- <sup>6</sup> *Ibid.*, p. 146.
- <sup>7</sup> *Ibid.*, p. 147.
- <sup>8</sup> *Ibid.*, p. 185.
- <sup>9</sup> *Ibid.*
- <sup>10</sup> *Ibid.*, p. 186.
- <sup>11</sup> *Ibid.*, p. 187.
- <sup>12</sup> Bindeshwar Ram, *Land and Society in India: Agrarian Relations in Colonial North Bihar* (Chennai: Orient Longman, 1997), p. 51.
- <sup>13</sup> Chaudhury, *Bihar District Gazetteers*, p. 191.
- <sup>14</sup> *Ibid.*, p. 192.
- <sup>15</sup> *Ibid.*, p. 191.
- <sup>16</sup> *Ibid.*
- <sup>17</sup> *Ibid.*, 244.
- <sup>18</sup> *Ibid.*
- <sup>19</sup> *Ibid.*, 245.
- <sup>20</sup> *Ibid.*, 196.
- <sup>21</sup> Superintendent of Census Operation, *Bihar District Census Handbook: Muzaffarpur* (Bihar: State Government Publication, 1961), p. xiv.
- <sup>22</sup> *Ibid.*, p. 47. The data is based on 20% sampling.
- <sup>23</sup> Land Reform Department (LRD), *Baidnath Prasad Singh vs. State of Bihar* Case No. 80/73-74 (hereafter *BPS*), Muzaffarpur District, Bihar.
- <sup>24</sup> *Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Rules, 1963*.
- <sup>25</sup> LRD, "Letter from Sub-Divisional Officer of West Muzaffarpur to AC, dated 03.12.1982", *BPS*.
- <sup>26</sup> LRD, "Report of Additional Collector", *BPS*.
- <sup>27</sup> Please see table no 3 Chapter 2, p. 55.
- <sup>28</sup> This fieldwork was done individually by me with the assistance of Circle Officers and Revenue Clerk of the area in the month of October and November, 2016.
- <sup>29</sup> During my field work, there was no land found in the name of Baidnath Prasad Singh which may have been categorised as Type IV and V.
- <sup>30</sup> LRD, "Report of Additional Collector", *BPS*.
- <sup>31</sup> *Ibid.*
- <sup>32</sup> *Ibid.*
- <sup>33</sup> LRD, "Report of Additional Collector", *BPS*, March 1, 1993.
- <sup>34</sup> LRD, "Letter from AC to Circle Officer of Musahari, dated 22.08.1997", *BPS*.
- <sup>35</sup> *Ibid.*
- <sup>36</sup> *Ibid.*
- <sup>37</sup> LRD, "Report of Additional Collector", *BPS*, March 15, 1993.
- <sup>38</sup> *Ibid.*



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- <sup>39</sup> LRD, *BPS*, November 23, 1993.
- <sup>40</sup> LRD, “Order signed by Pancham Lal, Additional Member, Board of Revenue, Govt. of Bihar, dated February 1, 1994”, *BPS*.
- <sup>41</sup> See table no. 3.3, p. 85.
- <sup>42</sup> LRD, “Report of Additional Collector”, *BPS*, March 15, 1993.
- <sup>43</sup> *Ibid.*
- <sup>44</sup> *Ibid.*
- <sup>45</sup> *Ibid.*
- <sup>46</sup> Interview with Revenue Clerk of Musahari urf Radha Nagar *Halka*. I went to the following said land with its khata no and khesra no, but listed persons did not cultivate on the following land.
- <sup>47</sup> *Ibid.*, Land Ceiling No. 595-600. Some of the tenants who got land were Janglal Sahni, Bendri Sahni, Jagdish Sahni, Rampati Sahni, Muneshwar Sahni, Buttu Sahni, Saheb Sahni, Bal Govind Sahni, Gujjar Sahni, and Ramji Sahni etc.
- <sup>48</sup> Patna High Court, *Mahant Onkar Giri Chela vs. The State of Bihar and Ors*, CWJC No. 3138/1983, Judgement delivered on March 17, 1998.
- <sup>49</sup> *Ibid.*
- <sup>50</sup> Patna High Court, *Chameli Devi & Anr vs. The State of Bihar & Ors*, Case No. CWJC-7210/1997, Judgement delivered on May 13, 2013.
- <sup>51</sup> *Ibid.*
- <sup>52</sup> Patna High Court, *Chironjilal Poddar vs. Madhusudan Thakur & Ors*, AIR 1957 Pat 160, delivered on November 21, 1956.
- <sup>53</sup> *Ibid.*
- <sup>54</sup> Patna High Court, *Ghanshyam Chaudhary vs. The State of Bihar and Ors*, Judgement delivered on August 9, 2006.
- <sup>55</sup> LRD, *Pashupati Devi vs. State and Ors*, Ceiling Case No. 557/74-75 & 102/75-76, Muzaffarpur.
- <sup>56</sup> Patna High Court, *Pashupati Devi vs. State and Ors*, CWJC No. 4717/1994, Judgement delivered on April 24, 2015.
- <sup>57</sup> Deshkal Society, “Right to Homestead Land in Rural Bihar: A Study of its Status, Issues and Challenges in Implementation of Policies and Provisions”, Sponsored by *Planning Commission*, New Delhi, p. 11.
- <sup>58</sup> CO Office, “Land Distribution Report”, September 2016, Sakra Block, Muzaffarpur.
- <sup>59</sup> *Ibid.*
- <sup>60</sup> Interview with Ajay Kumar Jha, Circle Officer, Sakra block, October 28, 2016.
- <sup>61</sup> CO Office, “Land Distribution Report”, September 2016, Sakra Block, Muzaffarpur.
- <sup>62</sup> *Ibid.*
- <sup>63</sup> Interview with Arun Kumar Jha, Revenue Clerk, Baji Rauat, October 23, 2016.
- <sup>64</sup> Interview with Vinod Rai, Nathu Mahto, and Rajendra Mahto, October 24, 2016.
- <sup>65</sup> Interview with Naresh Paswan, October 25, 2016.
- <sup>66</sup> Interview with Yogendra Paswan, October 26, 2016.
- <sup>67</sup> CO Office, “Land Distribution Report”, September 2016, Sakra Block, Muzaffarpur.
- <sup>68</sup> Interview with Mahesh Ram, October 23, 2016.
- <sup>69</sup> Interview with Manish, Revenue Clerk of all three *halka* of Bhagnagri, October 26, 2016.
- <sup>70</sup> Interview with Manish, Revenue Clerk, Berua Deah *halka*, October 26, 2016 and Ajay Kumar Jha, Circle Officer, Sakra.
- <sup>71</sup> Interview with Agricultural labourers and shopkeepers, Berua Deah Villages, November 15, 2016.

## Chapter 4

### Forms of Exploitation and Resistance: A Peasant Perspective

The state of Bihar in general and Muzaffarpur district, in particular, has a long history of protest and resistance. Whenever the peasants and labourers of the district believed they had been exploited, they resisted in multiple ways. The district had provided a very good number of persons during the Revolt of 1857.<sup>1</sup> The peasant struggle in Bihar and particularly in Muzaffarpur basically existed after the economic crisis which was caused by the slow process of development or un-development. In Bihar, there was development in the industries like coal, steel, bauxite, kyanite, and some heavy capital goods in the regions of Ranchi, Barauni, and Jamshedpur Bihar, but agriculture did not show any improvement that could change the agrarian conditions of the rural people. During 1952-54 to 1964-65, the growth of agricultural production was 2.97 percent, but it decreased to 0.49 percent in the years of 1969-70 to 1983-84.<sup>2</sup> During this time, 97 percent of peasants were in debt.<sup>3</sup> Indian rural society was defined as still under 'semi-feudalism' in terms of tenancy relations, rent, and usury of loans.<sup>4</sup> However, Deepankar Basu and Debarshi Das argued that the landlordism has declined in India and its class lost its power.<sup>5</sup> The issue of land reform in the form of ceiling and redistribution, changes in the tenancy system, and the water management seemed to be some of the temporary causes that led the peasants to resist against the landlords and rich peasants.

Once the peasant resistance is being discussed in rural Bihar, the people basically confused to understand the similarity and difference between the movement and resistance led by the peasants, Maoists or Naxalites. The Maoists struggle in India is basically understood as the movement led by some rebels who directly stand against the state and administration. However, some scholar found that the landless peasants or *Dalit* workers who had been associated with Maoists activities, they really

wanted the Maoists arms squads to remain in the area as they feared that the landlords would re-establish their domination if the Maoists were withdrawn.<sup>6</sup>

They not only contributed their participation in the revolution but also provided 'protection, shelter and food' so that their revolution can be sustained.<sup>7</sup> However, the agrarian unrest like the villages of Muzaffarpur had been defined as 'one of the most

potent motive forces of social and economic change in predominantly rural societies' by Pradhan H. Pradhan.<sup>8</sup> The agrarian violence is further seen as 'a manifestation of intense struggle between the rural oligarchy and direct producers' where the poor peasants and landless labourers as direct producers 'decided to resist this exploitation and this antagonistic contradiction manifests itself in class struggle' which took the form of everyday bloodshed after 1960's.<sup>9</sup>

Thus, the chapter seeks to display the kinds of exploitation and subordination of the peasants and agricultural labourers and their techniques of protest over domination. The chapter is divided into three parts. The First part presents the basic narratives of peasant movements in Bihar after independence. The kinds of exploitation, domination, and subordination of the peasants and landless labourers are discussed in the Second Part of this chapter. The Third part of this chapter presents the multiple forms of resistance that had been used by the poor peasants and landless labourers of the district.

### **Tracing Peasant Resistance in Bihar**

One of the first peasant movements occurred in Bihar after independence was *Sathi Farm Struggle* which had a long history of protest against the illegal exactions and transfer of land in various blocks of Champaran District belonging to the estate of Bettiah Raj.<sup>10</sup> Basically, this land was under *Sathi Farm* belonging to Bettiah Raj, but this struggle was also for the other land that had been illegally transferred by the managers of Bettiah Raj. Bipin Bihari Verma alleged the ex-manager of the estate Rai Bahadur Rameshwar Singh for illegal transfer of thousands of acres of land where 700 acres were given to Mrs. W.W. Broucke.<sup>11</sup> However, the social scientist Arvind N. Das did not talk about Rameshwar Singh but displayed the image of Bipin Bihari Verma for these all illegal transfer of all from Bettiah Raj.<sup>12</sup> Ram Prasad Narayan Sahi and his brother Rekha Narayan Prasad Sahi had got about 300 acres of land transferred in their name.<sup>13</sup>

The peasants and labourers of various blocks of Eastern and Western Champaran protested against the transfer of land and distributed the pamphlets in all parts of the district. Then, the Congress ministry in Bihar appointed Prajapati Mishra to look into the issue of land transfer and deal between the peasants and Sahi brothers. After dealing with the peasants and the Sahi's, Prajapati Mishra told the peasants that Sahi's will return a

land of 45 acres out of total transferred land. However, the peasants did not agree on the small fractions of land and blamed Prajapati Mishra for being in favour of the Sahi's and involved in the transfer of land in his own name in various blocks of the district by the Bettiah Raj.<sup>14</sup> In order to restore the land among the peasants, the Bihar government passed the Sathi Land (Restoration) Act 1950 which got its assent from the governor on June 13, 1950. The Sahi brothers challenged the act in the Supreme Court who upheld the Sathi Land (Restoration) Act 1950 while pointing out that every citizen of the country has equal rights before the law under Article 14 of the Indian Constitution.<sup>15</sup> However, the peasants had been protesting on various occasions in various ways even after the judgement of the Supreme Court and by 1970's Sahi brothers sold most of their land to other persons with high rate<sup>16</sup> Nevertheless, this *Sathi Farm Struggle* provided the courage to the peasants of Eastern Champaran who protested against the oppressive landlords and administrators under the banner of *Jharkia Kisan Sabha* (JKS) and *Khetihar Kisan Mazdoor Sangh* (KKMS) which were led by the poor peasant leaders Ram Ashray Singh and Gambhira respectively.

The Jharkia Kisan Sabha may be defined as the descendant of Bihar Kisan Sabha led by the peasant leader Swami Sahajanand Saraswati, but its demand and stands clearly changed from the earlier Kisan Sabha in 1960's. Its leader Ram Ashray Singh supported the CPI (M) and won the Legislative Assembly as the candidate of this party. This Kisan Sabha raised the issues of forced-unpaid-labour, debts and interest, unemployment, and sexual exploitation of poor peasant women.<sup>17</sup> Ram Ashray Singh firstly focused on the social oppressive of the poor peasants and called for 'passive' resistance against the landlords who then replied with the 'active' resistance through torturing and beating the labourers.<sup>18</sup> The hundreds of poor peasants and landless labourers including their leaders were beaten by the police and sent to jail.<sup>19</sup> After release from jail, Ram Ashray Singh took economic issues like the wages of labourers and adopted strike as the method of resistance.<sup>20</sup> However, he was unable to do anything after he got elected to the assembly in 1977. His popularity got down because when he visited the Gambhira's villages to look his dead body, the villagers did not attention towards him.<sup>21</sup>

The issue of labourer's wages, employment, and land right in the district of Eastern Champaran was raised by *Khetihar Kisan Mazdoor Sangh* (KKMS) founded by the young peasant leaders like Gambhira, Ramchandra, Madan, and Mohammed Rasul.<sup>22</sup> The

KKMS was formed in the village of Pipra having a population of about 8000. Very soon it became famous among the poor peasants and labourers of whole districts. Gambhiran Sah believed the zamindars as his main enemy and worked for seizing their land. Gambhira and his associates helped Saint Ram Khelwan Goswami when the zamindar of Sukhahia Dharman Singh had forcefully occupied his 400 acres of land. Due to fear of the peasant unrest, the zamindar surrenders the land he captured.<sup>23</sup> But very soon the zamindars and saint became a friend and stops providing the employment to the landless labourers of his villages. The unemployment created the atmosphere of unrest in the village and everyone started protesting against the saint and the zamindars. They had looted a lot of crops. The peasant started their resistance in the areas of Bagaha, Narkatiaganj and Madan of both Eastern and Western Champaran.<sup>24</sup> During, 1969-72, a large number of strikes and demonstrations were held against the zamindars in which three peasant's leaders were killed in the name of Naxalites by the police and 88 peasants were arrested on the charge of just four cases filed by the zamindars.<sup>25</sup>

In response, the labourers were being targeted and beaten by the zamindar's men that caused the murder of the zamindar of Tikoni village Ram Chandra Singh, Ramji Mahto of Sukhia village, and six others.<sup>26</sup> The zamindars had feared that if Gambhira will alive, they will be under threat, so they gave Rs. 16,000 as a bribe to the Police to beat Gambhira and his associates during the unrest in the village.<sup>27</sup> Gambhira and his six peasant leaders were arrested by the police at midnight. Gambhira was beaten till death. The Police record confirmed that the peasant's leader like Gambhira, Madan Mahto, Ram Lal Mahto and six others were killed in the encounter.<sup>28</sup> However, the villagers had clearly witnessed the killing of Gambhira and his comrades who were beaten to death by the police in the Police station itself.<sup>29</sup> Even the post-mortem report directly claims that he had an injury of beating on various parts of his body and no traces of bullets.<sup>30</sup> However, when his followers became unrest against the police officials, the Seven Policemen were suspended on the charge of Gambhira and his comrades' death in the Police lock-up.<sup>31</sup>

His death spread the peasant unrest in various parts of the district. In order to teach a lesson of peace, the communist peasant leader and legislators Ram Ashray Singh reached in his funeral.<sup>32</sup> For participating in Gambhira's cremation, more than 10,000 peasants including 3000 women came to his village Mahuawan. His wife, mother, fathers,

comrades, and villagers proclaimed him as their hero and protector. His wife Sheo Kumari told that 'he died for gaib raj' while his mother expressed that his son 'sacrificed himself for the garib raj'. Gambhira used to say that 'one should not rest until the garib raj was established. Let the zamindars and the military kill one Gambhira, we have thousands of Gambhira here'.<sup>33</sup> However, after the death of Gambhira, no one became the peasant leader in his areas to fight against the zamindar's oppression and exploitation for a long time because the state government and district administration has become too oppressive and any peasant indulging in any forms of resistance were implicated as Naxals and extremists. The District Magistrates R.K. Sinha and Superintendent of Police Anil Kumar described their aim as disturbing the law and order and snatching 'the arms from the policemen'.<sup>34</sup>

The *Koshi Kranti* was another such peasant resistance deployed by the peasants of the Purnea and Saharsha district in order to make the *koshi dam* succeeded that aimed to provide an irrigation facility to the 1,400,000 acres of land in both districts. But after the construction of the *dam*, only about 350,000 acres of land were irrigated.<sup>35</sup> It had happened due to the changing nature of *dam* in which the landlords and rich peasants of certain areas had consulted the administrative officers and the programmer of the *dam* and turned its shape towards the sides of land that belonged to the landlords and rich peasants.<sup>36</sup> The poor peasants and landless labourers protested against the administration, but nothing had been done in their favour, and the constructed *dam* aimed to provide profits to the rich only in which the government had planned to invest the amount of Rs. 100 crore.<sup>37</sup>

In various blocks of Saharsha district, the peasants sat on a demonstration in front of block offices in order to demand their rights on land and asked for the availability of loan in a government rent. Their demonstration calms down only after the police used *lathi-charge* over women and children.<sup>38</sup> The non-political peasant organisations like the Bhartiya Kisan Union, Shetkari Sangathan, Bundelkhand Kisan Sangathan had supported this peasant demonstration over their demand. The Bhartiya Krantikari Kisan Sangh's president Rashos was sent to jail during this demonstration. He told while in the Saharsha Divisional jail that:

Don't think we are cut off from our people here. We will get daily reports and issue directions... Very soon the leaders of coordination committee, who are not busy at conference in Bhopal, will arrive here and we will start a *dharna* in front of the district magistrate's office also.<sup>39</sup>

There were so many peasant movements in different parts of Bihar, but the above-mentioned peasant resistance, unrest, and demonstration are enough to know the general feeling of resistance against oppressive landlords, police and the state. Their causes were different from time to time and region to region, but their main target was the zamindars and their associates. In none of the movement, they targeted the police and never touched the administration, but the state machinery were being used by the landlords as their own arms of crushing the peasant resistance by calling them extremists and Naxalites.

### **Kinds of Exploitation in Muzaffarpur**

A district of Muzaffarpur had a wide range of unemployed people. According to Census of India, 2011, there were total 48,01,662 populations in which there was only 18.96 percent of the population were the main workers deployed in agricultural or non-agricultural works, and other 13.27 percent of the population was the marginal workers who do both agricultural and non-agricultural works. The rest 67.77 percent of the population includes the children, senior-citizens, and housewives.

Table No 4.1  
Total Numbers of Workers Including Non-Workers

S.N.	Nature of Workers	Numbers	Percentage
1	Main Workers	910304	18.96
2	Marginal Workers	637282	13.27
3	Non-Workers	3253476	67.77
<b>Total</b>		4801662	100

Source: Census of India, 2011<sup>40</sup>

Table No 4.2  
Category of Workers Excluding Non-Workers Population

S.N.	Category of Workers	Numbers	Percentage
1	Cultivators	273436	17.67
2	Agricultural Labourers	769001	49.69
3	Workers in Household Industry	65253	4.22
4	Other Workers	439896	28.42
<b>Total</b>		1547586	100

Source: Census of India, 2011<sup>41</sup>

It is clear from the table No. 4.1 that only 32.23 percent of total population of the district is the main and marginal workers. Their total number was 1547586 in which only 17.67 percent were the cultivators that include the landlords, rich peasants, and poor peasants. The other 49.69 percent were the agricultural labourers, while 4.22 percent of workers were involved in household industries. The rest workers 28.42 percent were other types of workers who were not being recorded in their particular field.

The peasants of Bihar had always been lacking agricultural equipment and its facilities. By 1980's more than the two-third cultivatable land was out of irrigation. The production of paddy, wheat, rice and other products have not been increasing over the demands for the population. Table 4.3 clearly displays the backward production of the paddy and wheat per hectare and use of fertilisers.

Table No. 4.3  
Yield of Crop and Use of Fertilisers in Kg per hectare

<b>Crop/Compare</b>	<b>Paddy</b>	<b>Wheat</b>	<b>Fertilisers</b>
India (1950-51)	668	663	---
Bihar (1950-51)	450	430	---
India (1983-84)	1458	1851	---
India (1983-84)	1016	1554	35
Punjab (1983-84)	2800	3000	100

Sources, *The Times of India*<sup>42</sup>

The state was clearly lacking the use of improved agricultural equipment used by others state of India. Till 1982, the tractor was only used by the rich peasants in the districts of East and West Champaran, Purnea, Patna, Rohtas, and Bhojpuri. In Muzaffarpur and Vaishali, it began to be used later on.<sup>43</sup> Apart from this, there were many ways under which the poor peasants and agricultural labourers were being dominated and exploited by the landlords, moneylenders, government officials and various other means.

Whenever famine occurred, it used to destroy all resources on which the peasants and labourers depend. The devastating famine of 1950-51 and in 1966 was same examples that effect where millions of people had to depend on the government rations for whole years. The famine of 1966 occurred due to massive flood that affected large parts of Bihar where crops and other property of poor peasants were washed away. Jaya Prakash Narayan had calculated that the peasants of the state had lost their assets of Rs. 350



crores.<sup>44</sup> It was stated that the government had spent 105 crores of rupees on the development of agriculture, but there was no improvement seen in the field. The famine had become a regular feature to most of the poor peasants in the state due to lack of proper irrigation. During independence, the state had a total of 21 million acres of cultivatable land, but during First Five Year Plan only an area of 0.56 million acres was under assured irrigation, and by 1966, irrigation land was only 1.8 million acres.<sup>45</sup> The famine remained or flood mostly devastatingly affected the poor peasants and labourers. About the conditions of people of Bihar during 1966 famine, the scholar R.M. Gole had written that:

The story of Bihar famine is the story of waste land where the rich care not, the poor dare not, and those in the office fear not... it is the story of man's failure to husband nature's resources to his own use... there is a large body of people who welcome famine.<sup>46</sup>

During the famine, the landlords and rich peasants used to sell their grains and other items with a very high price and even the government officials were not doing much to mitigate the sufferings. While poor peasants were suffering from starvation, the zamindars and rich peasants became richer and prosperous.

A part from famine, the flood was another cause of suffering to poor peasants. The northwest Bihar had been famous for floods for a long time which came in 1954, 1975, 1987, 2001, 2004, and 2007 which affected a large number of people and destroyed a huge amount of agricultural resources. In the flood of 1975, the Musahari block of Muzaffarpur district was devastated and most villages were under water. The rushing floods created about 400 feet mound and took away the soil.<sup>47</sup> Many resources including cattle were washed away. The flooded area was:

swarms of hungry people, clamouring for relief, children with chicken-pox crying in their mothers' arms, cattle too weak to respond to the sound of the horn for lack of fodder.<sup>48</sup>

It was a surprise to see flood as this area was protected by high embankment as compare to other areas of the district. Flood used to affect the blocks of Meenapur and Muraul, but

not Musahari block. A commission was established to enquire into causes of the flood in the area. The commission found two main reasons. First was the new road constructed on the bank of *Burhi Gandak* which took off a large amount of soil from the river's embankment. The second reason was due to the mischievous behaviour of some landlords and rich peasants who cut down the opposite side bank of their field, so that bank could not be broken itself.<sup>49</sup>

The peasants of Muraul and Sakra block have still remembered the flood of 1987 in their areas that destroyed all the paddy of their land. The term *satashi* (eighty-seven) is popularly known as a black year for them and used as a mark to memorise the date of birth or important chronology. The poor peasants and labourers often did not write the date of birth of their children. If the date of birth is asked, they answer it via calculating like eight months after *satashi* or five months before *satashi*. The peasants of Machhahi village had to vacate their villages in 1987 when the flood washed down villages. They had to struggle to find grains and drinking water because all areas of the village including the hand-pumps were under flood.<sup>50</sup> The flood destroyed all their resources, so they need to borrow loan from moneylender or rich peasants in high rates such as 5-10% monthly that became 60-120% annually. In the case of failure to give interest on time, their assets particularly land was being captured by the loan granter.<sup>51</sup>

The rise of water market increased the burden on the lower and middle sections of peasants from 1970 onwards. Since the area is not fully irrigated land, thus, pumping irrigation became one of the means to irrigate the land. But it was very costly to poor peasants while the government was not in a position to help them. Such facilities can be afforded by landlords and rich peasants. When the Water Extraction Machine (WEM) came to dominate the irrigation facility of agricultural, it was fully dominated by the landlords and rich peasants. The lower and middle sections of peasants had been buying water from them at a high price. The WEM owners enjoyed a monopoly in fixing rents for water.<sup>52</sup> The research of Tushar Shah and Bishwa Ballabh clearly traces how 'water sellers enjoy a certain degree of monopoly power which translates into monopoly rents and/or others means of power'.<sup>53</sup> The rich peasants buy the WEM for the irrigation of their own land, later on, they employ the agricultural labourers or worker to sell to run the WEM for selling the water to the needy peasants. The labours employed for running this WEM were paid very low wages of Rs. 15 to 20 during 1990's.<sup>54</sup> Some peasants claim

that the WEM sellers do mistakes in counting the machine's time for water supply, and take extra money.<sup>55</sup> The pumping irrigation did not only imply the economic transactions in 1980's and 1990's, but its owner enjoyed the social prosperity and political dominations.<sup>56</sup> During 1980's and 1990's, only about 1 to 2 households used to keep WEM for selling of water due to its heavy cost. It became clear that the whole villages who were depending on the WEM owners to buy water for their land irrigations would not stand socially or politically against water sellers.

The issue of labour wage was another such matter of debate in the life of agricultural labourers. They were being paid with 10 to 12 bags whatever grown in a season and one and a half seers of rice per day for lunch. They were not being paid in cash or other means.<sup>57</sup> Some labourers were given land under the Land Ceiling Act. However, their land was to be still cultivated by the landlords.<sup>58</sup> A large number of labourers were found in the villages without any work that caused the exploitation of labour resources by the landlords.<sup>59</sup> On September 24, 1981, the Kisan Sabha held a massive demonstration for their better wages. In order to counter the Kisan Sabha's demonstration, the landlords also fought against the Kisan Sabha. After this, a complaint was registered by the landlords in the Police Station that the peasants had threatened them. The police reached to the Kisan Sabha activists who participated in the demonstration and tried to arrest them. Once the villagers of Vikram Thana and Naubatpur asked for the warrant, the police did firing in which two landless labourers Chandrawati and Surender Singh were killed. An investigation was done by People's Union for Democratic Right (PUDR) and its president Govind Mokhoty found that the labourers were demonstrating for the real causes that were their wage related issues. He said in the findings of his team that:

The oppressive living conditions of the poor, marked by the inequalities of land, denial of statutory minimum wages, [and] beating up agricultural labourers and molesting of women by the landlords are the root cause of the growth of organisation in the area.<sup>60</sup>

The issue of bonded labour is another kind of exploitation that goes against humanity. Even after independence, the practice of bonded labourers had been materialised in various parts of Bihar. Once the loan was to be borrowed by the labourers, and in the case of failure to return it, the labourers have to work for the landlord or rich peasants as

bonded labourers. This case was being widely practiced in the block of Naubat Nagar of Khagual. Mitan Majhi and his brother Jitan Manjhi had lived under bonded labour in Khajauri village.<sup>61</sup> Their owner claimed that they did not pay a loan of Rs. 4200, while the bonded labours told that they had taken only one and a half seers of grain. Once the complaint was registered in the office of District Magistrate, then the D.M. took action in 1992 and made these two bonded labourers free from their master. However, they were not given the revalidated amount of Rs. 12,500 under Bonded Labour Act of 1976 till 1994. Apart from it, a large number of cases of bonded labourers were registered in Tarai village where Deonath Majhi, Sheo Charan, Jawahar Mahto, Sugapati Devi had been serving under it.<sup>62</sup>

The amount of ransom collected from the poor peasants and labourers in a value of loan interest was such a kind of exploitation and subordination over the lower section of the agrarian structure. There had been a large number of cases registered where the peasant's property including their house were seized due to non-payment of interests of the loan in the decade of 1980's. Most of the loans were between Rs. 500 to 5000. The poor peasants and labourers had always feared that *bank wallahs* would come and take away their properties. There were a large number of cases but one such case from Larambhu village of Patnagarh block is sufficed to show the gravity of the case. There was an agricultural worker named Dhanurjya living with 10 family members and got massive loss in crops. He was forced to borrow a loan of Rs. 5000 from a Co-operative Societies. Due to late payment of his installment, a bank's agent had seized a pair of bullocks costs Rs. 1500 but valued it at Rs. 500 only. They also seized bicycle of Rs. 500 and recorded at an amount of Rs. 300.<sup>63</sup> The labourers named Vinod Kumar of Muzaffarpur told that he had taken a loan of Rs. 50,000 for the treatment of his wife from rich peasants about 15 years ago at the rate of 5 % monthly interest that is 60% yearly interest. After spending money on his family whatever he saves for paying the interest is less than the required monthly interest installment that was Rs. 2500 per month.<sup>64</sup>

His saving had been only about Rs. 1000 and had to borrow Rs. 1500 as a loan from other to pay an interest installment to one from whom he borrowed a loan of Rs. 50000. In the last ten years, he had paid Rs. 300000 as an interest installment of Rs. 50000. Out of 300000 paid as an interest, he had borrowed 180000 from other money lenders who are the businessmen in his village. Till date, Vinod Kumar had not paid the basic amount of

Rs. 50000 and got another loan of Rs. 180000 and its interests.<sup>65</sup> It means he has a total loan of Rs. 230000 and its interests. The questions arise for us what he had done wrong if his wife got ill. The district had no such facility to take care of the patients. There are hospitals but not specialists and medicines are not available. Thus, he had to get his wife surgery from a private hospital. He was denied a request for a loan from a bank whose agents mostly charged of Rs. 5000 as a donation if anyone took a loan of Rs. 25,000. His wife got to get surgery, he had to take a loan of Rs. 50,000, and that loan burden increased to Rs. 2,30,000 and its interests after paying an interest of Rs. 3,00,000. This is not a story of one man, but every third household had some kinds of the loan in the villages of Bihar.

These were some of the forms of domination and exploitation for which the peasants of Bihar had restive and restless against the landlords. Under the regime of state repression, they could only take non-violent forms of resistance such as petitions, demonstration, and strike. What they get back were *lathi* and jail. However, the growing influence of Bihar Pradesh Kisan Sabha created fear in the eyes of landlords. In December 1987, about 40 men of the landlords had shot down two workers of the Sabha Ganga Paswan and Ramashish Paswan at Pranchak village of Nalanda district.<sup>66</sup> Indian People's Front leader Rajendra Patel alleged that following killing was committed under the convenience of the Police Sub-Inspector of that area. After it, in June 1988, another 18 Harijan peasant supporters of Kisan Sabha were gunned down and 17 were injured in 1987 at Nanhigarh and Nagwargarh villages of Jahanabad. However, the police claimed that the following action was done by the mobster.<sup>67</sup> The landless labourers had done a demonstration in every part of Bihar after the killing of many Harijan's agricultural workers by the landlords at various places in Bihar. All India Kisan Sabha General Secretary Harikishen Singh Surjeet blamed the Bihar government led by Janta Party who failed to stop and punish the atrocities landlord.<sup>68</sup>

### **Multiple Forms of Resistance**

The resistance in general and peasant resistance, in particular, is defined as 'active efforts to oppose, fight and refuse to cooperate' with the existing power and structure.<sup>69</sup> This may be seen in the peasant's physical or material activities or in their behaviour.<sup>70</sup> The scholars defined the idea of 'marches', 'picketing' 'formation of organisation', 'working

slowly', 'stealing' 'feigning sickness', 'dissimulation', 'false compliance', 'pilfering', 'feigned ignorance', 'slander', 'arson', 'sabotage', and so forth as the different forms of resistance.<sup>71</sup> Apart from all these, being 'silence' is seen as a form of resistance towards the domination<sup>72</sup>, while 'breaking silence' is also used to resist against the landlords and government officials while filing complaints against them. The scholars Hollander and Einwohner have argued that the resistance consists of both '*political action*' and '*identity-based*' politics.<sup>73</sup>

There are basically two elements that are embedded in the purpose of resistance- action, and opposition. That is why the resistance is also seen as 'actions that not only reject subordination but do so by challenging the ideologies that support that subordination'.<sup>74</sup> In another way, it is also seen as 'either any kind of organized, collective opposition or any subversive action directly intended to damage and/or disrupt the functioning of an organization'.<sup>75</sup> Earlier in this chapter, I have pointed out some events of peasant resistance in Bihar after independence. Now I would like to highlight multiple forms of resistance that I termed them into the organised or institutional form of resistance and 'everyday form of resistance'. Firstly, let me discuss the organised form of resistance carried out by the peasants of Muzaffarpur district.

Everyone had dreamed of independent India when they were being oppressed by the cruel administration of the British Raj in colonial India. It was not only the Congress leaders who fought against the British, but the peasants and agricultural labourers had also given their immense struggle for independence in the form of attending meetings, listening lectures, organising demonstrations, and particularly feeding the freedom fighters. A free India was hoped by all. However, the poor peasants and landless labourers of Muzaffarpur found that they were still being dominated and exploited by the landlords of their areas. The police were not willing to protect their right and the state was not letting them enjoy the sweet of independence. They noticed that the British had left India, but the rich and landlords had still captured India. Thus, the peasants had started their resistance from the very first day of independence.

In September 1947, the poor peasants and landless labourers started a protest against the landlord Rai Bahadur Shyamnandan Sahay of Sakra block under the leadership of Kishori Prasanna Sinha.<sup>76</sup> They had harvested the crop on *bakast* land. The peasants of Sakra

block had used to harvest the crops in the field of the landlords like Ramji Mishra, Shivchandra Mishra, Kameshwar Singh, and Ram Sagar Mishra. The agricultural labourers used to pilfer the mangoes and jackfruits from the landlord's orchard field for making the pickles.<sup>77</sup>

For the response of the landlords of various blocks of the district, the S.D.O had issued show cause notice against 31 landless labourers and warned them. A meeting was held by the CPI leaders in the village of Chakviki of Lalganj area under the leadership of Kishori Prasanna Sinha and Subodh Kumar Sinha to discuss the future course of actions against the landlord and give the right to poor peasants and agricultural labourers. They reviewed the international situations and expressed that 'the kisans and labourers of India will very soon follow the examples of those of Burma, China, Italy, and France'.<sup>78</sup> They decided to start protesting against Kalika Singh of Patehri who had been exploiting the labourers in various ways. The activists Ramgar Singh was deputed to complete the said work. It was also found that the labourers of Jagodih were advised and instructed not to work in the land of local landlords. The local CPI leaders had also distributed the pamphlets entitled 'the Rule of Oppression and Terror of Congress Government in the district'.

However, the peasant resistance was crushed by the district administration. The District Magistrate issued the order of detention of peasant leaders Kishori Prasanna Sinha and Subodh Kumar Sinha and many other peasant activists including CPI workers under Section 3 (2) of Preventive Detention Act, 1950. At the time when the Magistrate issued the order, both peasant leaders including other activists had already been arrested in May 1949. The police charged them with doing anti-government activities and of instigating the peasants to fight against the landlords.<sup>79</sup> The police made other two charges that go back to pre independent period when they discussed the formation of *lal sena* (red volunteer) to fight against the landlords and moneylenders in June 1947 at Sondo villages of Mahua region. However, both leaders were not given bail and sent to jail and their petitions were also rejected by the respected High Court in the same year of arrest in 1950.<sup>80</sup> Well, the government and court take long years to solve any cases, but the cases against the peasant leaders were solved in the year after the arrest that goes in the proceedings in the courts of the District Magistrate, District Judge, and High Court.

In the early month of 1969, a mob of about 40 landless labourers had raided the rich peasant's house in search of grains while giving the slogans of *lal salam* and *Mao-Tse-Tung Zindabad*.<sup>81</sup> During this time, the peasants noticed their consciousness and understand their right that they had been deprived for a long period of time. The police had always registered this kind of peasant's attitude as the acts of Naxalites, but in a real sense, it was those peasants who had been pushed out from their own land as they used to cultivate the same land as occupancy peasants. It was those landless labourers whose land had been sold in their failure of paying to heavy usury.

Another such case of peasant resistance in the district came to be noticed in Musahari block in 1970, where the peasants and landless labourers became unrest against their enemies under the local leadership of Rajkishore Singh. This peasant resistance was to be called Land Grab Movement that was popular in the districts of Purnea and Monghyr.<sup>82</sup> They protested against the landlords and rich peasants after tolerating the domination, exploitation, and suppression of the landlords and rich peasants for a long time. This peasant resistance killed many oppressive landlords and throw out the landlords and rich peasants from their fields.<sup>83</sup> For a moment, all poor peasants and landless labourers came to support the resistance which started in 1970 in the villages of Musahari block.<sup>84</sup> The peasants took away a lot of grains and captured some of the lands that they used to cultivate as occupancy peasants. The resistance was being carried out through distributing pamphlets, singing folk songs, and sayings. In this resistance, the peasants used rumour as well in order to mobilise a large number of poor peasants and landless labourers.<sup>85</sup>

However, this peasant resistance known as land grab movement was widely criticised by the landlords and ex-landlords of the estates like Kursela Raj in Purnear, Dumraon in Shahabad, Hathwa Raj in Saran and Darbhanga Raj in Darbhanga. The leaders like Mahamaya Prasad termed the following movement as 'unconstitutional' and 'anti-national'.<sup>86</sup> The movement was brutally uprooted by the district police and administration and sent many people into jails and Rajkishore Singh was murdered later on. However, the coming of Jayaprakash Narayan brings peace and many of the peasants were released. JP was successful in bringing peace and helping the Ceiling authority to take land from the landlords and distribute it to the landless peasants.<sup>87</sup> We have already been pointed out that about 23,000 acres of land was being taken by the peasants and labourers in whole Bihar in which the political parties like CPI, SSP, and PSP helped and provided



leadership to the peasants for strengthening their resistance against those who had been exploited and dominated them.<sup>88</sup> In Musahari block, the resistance was being spearheaded by the poor peasants and labourers. They were brutally suppressed by the landlords and local administration. In order to deal with peasant resistance, a Bihar Military Police was created and every part of Musahari block was patrolled, so that the peasants could not rise up again.<sup>89</sup> To evade this, the peasants of Musahari block adopted a Gandhian form of non-violent movement for their causes.<sup>90</sup>

In 1980's, the landless peasants of Kurahni block had protested against the landlord Baidnath Prasad Singh who had challenged the Circle Officer's act of distributing *parcha* of land to the landless labourers. Once it was noted that the landlord had to file the return of all land under Land Ceiling Act, the CO had tried to distribute the land to the landless peasants who had been cultivating on that land as occupancy peasants. However, the landlord claimed to the Additional Collector that following disputed land cannot be distributed among the peasants because disputed land had already been under other's possession.<sup>91</sup>

Apart from organised form of resistance, the peasants of Muzaffarpur district have been resisted the domination and subordination of the local landed magnates, moneylenders, and government officials in such a way as James C. Scott has defined the means of resistance in terms of 'everyday forms of resistance'.<sup>92</sup>

The catching fish, for me, is a form of resistance that the poor peasants and labourers do because they have not been marginalised from their rights. The case of catching fish can be noted from the villages of Patehri and Karenjli of Lalganj area of Muzaffarpur district where the local youths and young peasants were organised to fight against the oppression of the landlords. The complaints were filed by the landlord Deonandan of Arrara that the workers of his area had caught 'fish from his pond forcibly and looted his standing crops'.<sup>93</sup> Basically, the peasants used to claim that certain ponds, in which the fishes were kept for breeding, were virtually made from the land that the peasants cultivated, after taking a large amount of soil from the land for making bricks and houses. The landlords had sold the soil of the land belonging to many poor peasants to the brick industry without sharing the price of the soil. The peasants of Arrara village believed that the land of following ponds was theirs in the past, so they are both ethically and legally entitled to

take fishes and use water from those ponds. But the peasants were not given any types of share in the fish breeding, so they were compelled to take their share forcefully that was being defined as loot.<sup>94</sup>

The idea of changing crops can also be seen as a form of resistance. The peasants have to sell grown their grains to the local traders at a very low price because they are not directly connected to the markets. The valuable income and profits of their products go to the traders, and the peasants do not get any more profits from their cultivation. For example, the poor peasants have to sell their paddy at the rate of Rs. 1300-1500 per quintal to the local traders, while in the market, it is being sold not less than Rs. 3000. Ayodhya Prasad, a peasant of Machhahi village of Muzaffarpur, claims that the peasants of his village got loss every year in the cultivation of paddy, wheat, and potato.<sup>95</sup> Following table No. 4.1 clearly, shows the expenditure on the cultivation and final income.

Table No. 4.4  
Expenditure of Rupees in the Cultivation of Potato and Rice per *Khata*

S.N.	Expenditure	Potato	Paddy
1	Land Rent	700	500
2	Ploughing	200	300
3	Seeds	500	100
4	Irrigation	500	300
5	Fertilisers	500	200
6	Grass Cutting	300	---
7	Harvesting	500	300
<b>Total Expenditure</b>		3200	1700

Source: Interview of Ayodhya Prasad

The poor peasants expend about Rs. 1700 for cultivating paddy in an area of one *katha* in which a total of about 75 kg paddy is grown. It means if the peasants sell paddy at the rate of 1500 per quintal, then they are getting the loss of Rs. 500. In the case of potato, they expend Rs. 3200 in an area of one *katha* in which they got about 5 quintal potatoes. And if they sell the following, they will get the maximum benefit of Rs. 800. However, they also got a loss, because the price of potatoes in the harvesting season is often less than 500-600 per quintal. It means they are getting the loss of Rs. 200. The land rent is added in the following data, if the land rent is kept away, then the peasants would get loss. The loss handicapped them in paying the interest of loans that they borrowed from the landlords, rich peasants, and moneylenders. In this case, they cannot challenge the local traders and the government officials. That is why it is seen in many villages of

Muzaffarpur, the peasants cultivate paddy, rice, and potato how much they need for their family. In their land, they prefer to grow vegetables or cultivate banana, litchi, guava, and mangoes. Therefore, their decisions of not growing more grains than their family's necessities is a form of resistance that can be found not only in every year but also in the everyday life of the peasants in every part of India.

The concept of taking rest, chewing tobacco, working slowly, coming late, and leaving early can also be seen as the forms of resistance in the life of agricultural labourers. If the labourers are not being paid good wages, they do not work with their heart. In the absence of their master from the field, they take rest and chew tobacco. They also refuse to work for their masters if they get good wages from other. The poor peasants and labourers take fuels from the landlord's forest and graze cattle in their fields. During 1970's, when the landlords disallowed the peasants and labourers from taking fuels from the forest and grazing cattle in the field, the peasants started taking the fuels at midnight, so that the landlords cannot see them. The labourers also steal the vegetables and fruits from the landlord's field and believed that they are stealing, because they are not given their rights.

The sharing of grains among the landlords and tenants also represents the traces of resistance. According to Bihar Tenancy (Amendment) Act, 1955, the landlords were entitled to take an only one-third share of tenant's cultivation and were not allowed to take any share in straw. However, in the whole of Bihar, the tenants had to give half of the grains cultivated in the field with straw. All expenditure on cultivation is investing by the tenants including their family labour; however, the landlords take half of the cultivated grains without giving any help in the cultivation. Therefore, in order to escape themselves from the loss, the tenants hide some amount of grains at another place before the coming of the landlords for sharing of grains.

### **Conclusion**

It became clear from the above analysis of kinds of exploitation and multiple forms of resistance that the peasants and agricultural labourers in the state of Bihar in general and a district of Muzaffarpur, in particular, had been exploited in various ways whether through famine, flood, loan interest, low wage labour, and so forth. In order to challenge the domination and subordination over them, the peasants and labourers resisted that may be

seen both in the organised form where the groups of peasants and labours fought against the landlords and local government officials in the blocs of Sakra and Musahari of Muzaffarpur district, and in an unorganised way of their resistance like catching fish, changing crop of cultivation, taking rest, chewing tobacco at work place, slow work, leaving early from work place, discrepancy in sharing of grains and so forth.

However, there is an ongoing debate among the scholars writing on the theme of resistance as what may be characterised as the form of resistance and what not. The sociologist Jaffrey W. Rubin had pointed out the limitation of resistance. For him, the human acts which are known to the targeted persons and observers may be termed as resistance. He refused to accept everyday acts of human against their domination as the form of resistance.<sup>96</sup> However, I would not agree with Rubin as I believe that every act of resistance has its own value. The resistance may be characterised into different perspectives. One may be organised or institutional type of resistance that would be done in a group and its act to be known to the targets and observers. The *Sathi Farm Struggle*, *Jharkia Kisan Sabha*, and Land Grab Movement and other agrarian and social movements can be characterised by this type of resistance. Another type of resistance is that which is not done by the actors in the means of resistance but seen by the targeted persons and observers as the resistance. This type of resistance is defined as '*unwritten resistance*' by Hollander and Einwohner.<sup>97</sup> However, multiple forms of resistance that I highlighted in this chapter and in some instance James C. Scott termed them as 'everyday forms of resistance' are the resistance that have two type of recognition- one that is done in the means of challenging the power of domination and subordination but not seen by the targeted person as resistance in case of taking rest, leaving early from work place, and another that is recognised by the targeted person as an act of challenge such as hiding grain while sharing, catching fish, and refusing to work and so forth.<sup>98</sup>

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  - <sup>3</sup> *Ibid.*, p. 849.
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  - <sup>11</sup> NAI, "Letter from B.B. Verma to K.B. Sahay, dated July 13, 1947", *RP Papers*, File No. 1-S/47, Vol. 1, p. 6.
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  - <sup>13</sup> *Ibid.*, p. 224.
  - <sup>14</sup> Girish Mishra, *Agrarian Problems of Permanent Settlement: A Case Study of Champaran* (New Delhi: People's Publishing House, 1978), p. 298.
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  - <sup>17</sup> *Ibid.*, p. 226.
  - <sup>18</sup> *Ibid.*, p. 227.
  - <sup>19</sup> *Ibid.*
  - <sup>20</sup> *Ibid.*, p. 228.
  - <sup>21</sup> *Ibid.*, p. 229.
  - <sup>22</sup> Arun Sinha, "Murder of a Peasant Leader", *Economic and Political Weekly*, Vol. 12, No. 31, (July 30, 1977), pp. 1214-1215.
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  - <sup>24</sup> *Ibid.*, p. 1214.
  - <sup>25</sup> *Ibid.*
  - <sup>26</sup> *The Times of India*, May 3, 1982, p. 19.
  - <sup>27</sup> Sinha, *Murder of a Peasant Leader*, p. 1214.
  - <sup>28</sup> *The Times of India*, May 3, 1982, p. 19.
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  - <sup>30</sup> *Ibid.*
  - <sup>31</sup> *The Times of India*, July 26, 1977, p. 7.
  - <sup>32</sup> Das, *Agrarian Unrest*, p. 229.
  - <sup>33</sup> Sinha, *Murder of a Peasant Leader*, p. 1214.
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- <sup>46</sup> *Ibid.*
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- <sup>50</sup> Interview with Shyamnandan Mahto, a farmer of Machhahi village, Sakra block, Muzaffarpur, November 20, 2016.
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<sup>94</sup> Interview with the Villagers of Arrara village, Kanti block, Muzaffarpur, November 26, 2016.

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## Conclusion

This research paper has surveyed and traced the idea of land reform and peasant resistance in a state of Bihar in general and in Muzaffarpur district in particular. The question of peasant consciousness and historical narratives of peasant resistance has clearly been highlighted which argue that the peasants have their own consciousness embedded in their activities of their everyday life. It was their consciousness through an amount of resistance and demonstration that pressurised the State government in 1936 to amend in Bihar Tenancy Act of 1885 and to introduce the bill for the abolition of zamindari system in 1946. The State government abolished the zamindari system by 1950 and fetched the Land Ceiling Act in 1961. It had also amended in tenancy system in 1955 and 1972. However, it was the irony of the state that despite many laws and acts enacted for land reform, until September 9, 1970, no proceeding was taken for the ceiling of land. The State government established the offices of Additional Member, Board of Revenue (Government of Bihar), Additional Collector (Land Reform Department), Deputy Collector Land Reform, Circle Officer, and Revenue Clerks for preparing the land record so that they can prepare for the ceiling of land. From September 9, 1970, onwards, the Ceiling authority had started giving notices to the landlords in the state to file their returns under the Land Ceiling Act. The study of land ceiling cases in Muzaffarpur highlighted in Chapter 3 clearly shows how the landlords and the Ceiling authority delayed the process and proceedings of ceiling and distribution of land.

The land reform did not succeed in Bihar due to various reasons. The causes of failure of land reform in Bihar in general and Muzaffarpur, in particular, can be understood into three basic points. First is the landlord's attitude towards land reform and their techniques of undermining the Land Ceiling Act. The supine response of the government and Ceiling authority is the second reasons that slow down the process of ceiling and distribution of land. And the last but not the least is the response of landless peasants and agricultural labourers that gave a chance to the landlords and rich peasants to debilitate the land reform.

The landlords undermined the Land Ceiling Act in various ways. Once the idea of land reform was discussed, the landlord had started transferring and selling their land to their

relatives, associates, and others. In order to escape from the Ceiling laws, the landlords also changed the category of land with the help of Circle Officers and clerks. The irrigated land was declared as non-irrigated. They also made changes in the nature of land as the Bihar Land Reforms Act provides privileges to the land belonging to Homestead, tank, orchards/gardens, and temple public buildings. It is noticed that there was an obsession in the Kanti block where landlords planted litchi plants on ordinary lands, so that these land may be excluded from the ceiling act.<sup>1</sup>

It was not only the landlords themselves who undermined the Land Ceiling Act, but the Ceiling authority is also responsible for the failure of land reform in Bihar. Like in one case, the same land was given to three labourers, so that it would be hard to claim for the labourers. Sudhir Chandra Majumdar of Kanti block surrendered 15 acres of surplus land to the Ceiling authority. The Ceiling authority prepared the list of beneficiaries for distribution of land. Jamun Ram was one who was listed for land, but the land of the same *khesra* was also listed in the name of two other persons. There was a clash between these three persons over the possession of land. However, the following land was cultivated by a strong under-tenant and it was not possible for Jamun Ram and other two persons get their land vacated from the rich peasants who had been cultivating the land illegally.<sup>2</sup>

No record is found for the land distribution out of 20.75 acres of land acquired from Mahanth Madhusudan Das of Aansia village of Kanti block under Land Ceiling Act.<sup>3</sup> It is documented that total land of 213 acres was acquired in Kanti block, and the ceiling authority claimed that all acquired land has been distributed, although the fact is not so.<sup>4</sup> Ashok surrendered his 29 acres of surplus land, but 8 acres of them were put under objection by certain interested persons who claimed that they have right to the land. The beneficiaries were listed for the distribution of the land. Charitra Bin and Baldeo Ram blamed the government officials who did trace their land provided through Land Ceiling Act.<sup>5</sup>

The case of *Baidnath Prasad Singh vs. the State of Bihar* can be reconsidered for the understanding of the role of government officials in the failure of land reform in Muzaffarpur. After a long proceeding of about 23 years, the Ceiling authority decided that the landlord had 562.43 acres of land for filing return under Land Ceiling Act and

was entitled to keep 8 units for his family. As per Ceiling Act, the landlord was entitled to keep 167.20 acres of land and remaining land (562.43-167.20) should be taken by the Ceiling authority for the distribution. However, it is not clear why the Ceiling authority had filed for only 121.96 acres of land, and even in which an area of 47.25 was not fit for cultivation. The remaining land 74.71 (121.96-47.25) was said to be published for the distribution, but only 12 landless labourers of Radhanagar village of Musahari block had been listed for the total area of only 14.89 acres.<sup>6</sup>

If the nature of Ceiling authority is to be discussed regarding land ceiling, the table No. Conclusion 1 clearly shows how the Ceiling authority had not taken a very fraction of land from the landlords in the Kanti block of Muzaffarpur.

Table No. Conclusion 1  
List of Landlords with their size of Land Holding and Land Ceiling

S.N	Name of Landlords	Land Ceiling	No of Beneficiary	Land Holding
1	K.K. Bose, Kanti Kothi	4.74	4	124.12
2	Gopaljee Gupta, Bakarpur	1	1	67.23
3	Jaung Bahadur Singh, Mithansarai	2	2	67
4	Chandra Shekhar P. Singh, Roshanpur	2	2	60.14
5	Ashok Kumar Basu	73.53	69	267.35
6	Motipur Sugar Factory	53.66	127	53.66
7	Mahant Maliram Das, Bakhara	14.96	9	92.94

Source: M.P. Pandey, *Land Record and Agrarian Situation in Bihar*

It is clear from the above table that K.K. Bose had 124.12 acres of land from which the Ceiling authority had acquired only 4.74 acres. The Ceiling authority had acquired an area of 212.46 ½ acres of land from Kanti block and 204.4 ½ acres was listed for distribution among 286 households.<sup>7</sup>

It was not only in the case of the ceiling that the State government and Ceiling authority were not able to acquire land from the landlords under 15 (1) of Land Reforms Act, but they were also not successful in tracing and distribution the land getting from *Bhoo dan*. It had already been seen the case of Faguni Rai of Baji Rauat village of Sakra block who got one acre of land in 1985 under *bhoo dan*, but he did not succeed in occupying the land that he got allotted in his name. In another case at Muzaffarpur, the landlord's men fired three rounds on the landless farmer who went to occupy six hectares of land belonging to

the *bhoodan*. In this accident, the police also fired one round on the mob; however, it was good that no one got injured.<sup>8</sup> Apart from this, the state government was also not fully interested in amending and implementing Bihar Bhoodan Yagna Bill as the government of UP and MP did on the recommendation of Vinobha Bhave. Since Bihar government was not passing the law as suggested by him, the Raja of Ramgarh Kamashya Narayan Singh asked Vinobha Bhave to return the land that had given as donation for the distribution among the landless peasants and labourers. For Vinobha Bhave, Bhoodan movement was 'based on *janshakti* as against *rajshakti*'.<sup>9</sup> Towards the attitude of Vinobha, many congressmen in Bihar believed that he is not working in the favour of the Congress because he was working with the Congress' rival like Raja of Ramgarh and other landlords who were associated with Janta Party and Praja Socialist Party.<sup>10</sup>

It was expected by the state government to get an area of 500,000 to 1,000,000 acres of surplus for the redistribution to the landless peasants and agricultural labourers under the new Land Ceiling legislation amended in 1972. However, Manorama Pande, deputy minister of information, argued that the state had only achieved about 5000 acres of surplus land from the landlords in which about 770 acres were hardly distributed among the landless peasants.<sup>11</sup>

The issue of tenancy was tried to be reformed through Bihar Tenancy Act of 1885 which was amended many times for the welfare of the tenants. Although it continues in its old form even after it has undergone substantial changes. Under section 48 of the Bihar Tenancy Act (amended in 1938), the tenants cultivating land for the last 12 years was supposed to have acquired occupancy rights in land holdings. The Act points out that an under-raiyats must not be threatened with unlawful ejection from his tenancy. It warned the landlords not to collect the share of the produce of land more than seven-twentieth and restrict any share in the straw or *bhoosa* as rent out of the produce of the land.<sup>12</sup> However, the landlord or rich peasants still take a half share in the total grain and straw cultivated on his land and.

In order to provide the benefits of grains to the peasants, Bihar government through Bihar Agricultural Market Act (1960) provided for the establishment of the rules and regulations for the running of markets by the market committees. It focused on enhancing the quality of the feeder roads, linking farming areas and marketing focal points.

However, till date, no such reform came to be noticed that would be utilised by the poor peasants and labourers in the district.<sup>13</sup>

When Lalu Yadav came to power, the hope arose that land reform will be implemented. He blamed the previous government for the failure of land reform in the state. He branded 'Congress as a party of feudal lords which was never interested in providing land to the tillers and landless.'<sup>14</sup> It was noted that about 526 landlords had more than 200 acres of land by that time.<sup>15</sup> However, no such action was taken for the process of land ceiling and distribution of land. Like Lalu Yadav, Bihar Chief Minister Nitish Kumar established Bihar Land Reforms Commission under the chairmanship of D. Bandhopadhyay for the suggestion on the implementation of land reform just after his government to power, but very soon he forgot about land reform as he declared in 2009 that his government 'would not implement the main recommendation' given the commission.<sup>16</sup> On Nitish Kumar's statement on Bihar Land Reforms Commission, D. Bandyopadhyay wrote an article called "Lost Opportunity in Bihar" in which he pointed out how Bihar had been backward and its agricultural output is declining.<sup>17</sup>

Apart from the landlord's interference in the land ceiling and government official's slow process of work, it is argued that there were some other factors that weakened land reform in Bihar. The lack of communication among the State government, Ceiling authority, and peasants was the reason that weakens the process of ceiling and distribution of land. First of all, most of poor peasants and labourers were uneducated, so they could not understand the government's scheme of land reform. If some of them were educated, it was tough for them to deal with the Revenue clerks, Circle Officers, and Additional Collector. One peasant from Machhahi village told that he came to know about the land ceiling and distribution four years after the law passed in the state.<sup>18</sup> One agricultural labour of Baji Rauat village did not know that the land had been allotted to him even after 15 years of allotment until I informed him during my fieldwork. In many cases especially of *bhoodan*, it is found that the government had given the land slip to the landless peasants during 1980's, but they did not claim their land.<sup>19</sup> In Muraul block, many landless peasants were allotted land under *bhoodan* category, but they were not given the land slip. Some of their lands were captured forcefully by the strong rich peasants and these poor peasants could not do anything without land slip.<sup>20</sup> The issue of caste was another such factor that debilitates land reform in Bihar as it has seen in the villages of Baji Rauat of

Sakra block and Radha Nagar of Musahari block where some lower caste landless labourers were allotted land, but it became not possible for them to occupy the land because the land was cultivated by the upper-middle caste rich peasants such as Yadav, Kurmi, and Sahni.

Everyone had dreamed of independent India where there would be no Englishmen to dominate and oppress Indians. However, there is a long history of domination and subordination by the landlords, moneylenders, and government officials over the subalterns like poor peasants, agricultural labourers, workers, *Adivasis*, and *Dalits*. The poor peasants had to face the burden of heavy taxes and illegal exactions in colonial India. The Bihar Tenancy Act provided occupancy right over land if they cultivate the land for a continuous period of 12 years; however, they were not able to get their occupancy right in the absence of any proof of land revenue or taxes. That's why there were thousands of landlords in Bihar who had more than thousand acres of land. The landlord of Darbhanga known as Maharajadhiraj Kameshwar Singh had more than one lakh acres of land.

Even after independence, the peasants saw the oppression and domination over them by the landlords and moneylenders. They did not leave their acts of resistance that they had been doing against the British and landlords before independence. There was a series of events of peasant resistance in Muzaffarpur district just after independence that can be found in the blocks of Sakra, Musahari, and Kanti. At various places, the landless peasants forcefully captured the land of the landlords, but the landlord's army and local administration crushed them. Thus, there were a series of events of peasant movements and resistance in Bihar, but the peasant resistance could not able to pressurise the government to introduce a radical change for the welfare of landless peasants and agricultural labourers. The peasants were challenging the agrarian power structure in every part of the state, but everywhere in an organised way because they were being divided on the socio-economic, cultural, regional and political identities. It was their lack of unity among the peasantry that benefitted the landlords to undermine the Land Ceiling Act. However, there has been resistance by the peasants in every part of the state not only in every year but in every peasant's acts done against the landlords and moneylenders that I call as multiple forms of resistance.

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  - <sup>2</sup> M.P. Pandey, *Land Records and Agrarian Situation in Bihar: A Pilot Study* (Patna: A.N. Sinha Institute of Social Studies, 1979), p. 44.
  - <sup>3</sup> *Ibid.*, p. 36.
  - <sup>4</sup> *Ibid.*, p. 37.
  - <sup>5</sup> *Ibid.*
  - <sup>6</sup> See Chapter 3 for more details.
  - <sup>7</sup> Pandey, *Land Records*.
  - <sup>8</sup> *The Times of India*, August 9, 1970, p. 7.
  - <sup>9</sup> *The Times of India*, September 21, 1953, p. 12.
  - <sup>10</sup> M.V. Desai, "Outlook on Bhoodan IV: Water loo in Gaya", *The Times of India*, February 12, 1954, p. 6.
  - <sup>11</sup> Jitendra Singh, "Strong vested activity in Bihar", *The Times of India*, October 30, 1972.
  - <sup>12</sup> *Ibid.*, p. 53.
  - <sup>13</sup> Jagdish Prasad et.al., *Bihar Agricultural Markets: Evaluation Project on Muzaffarpur Market* (Patna: AN Sinha Institute Studies, 1984).
  - <sup>14</sup> *The Times of India*, July 28, 1992, p. 12.
  - <sup>15</sup> *The Times of India*, November 18, 1992.
  - <sup>16</sup> D. Bandopadhyay, "Lost Opportunity in Bihar", *Economic and Political Weekly*, Vol. XLIV, No 47, (November 21, 2009), pp. 12-14.
  - <sup>17</sup> *Ibid.*
  - <sup>18</sup> Interview with Ram Varan Mahto, Machhahi, Sakra block, on November 11, 2016.
  - <sup>19</sup> Interview with Revenue clerk, Radhanagar village, Musahari block, Muzaffarpur, November 15, 2016.
  - <sup>20</sup> Interview with Jitendra Prasad Singh, Circle Officer, Muraul block, Muzaffarpur, October 29, 2016.

Appendix-I  
(A Letter from Hind Kisan Panchayat to Dr. Rajendra Prasad)

HIND KISAN PANCHAYAT  
Patna 3.

Camp: Bombay  
June 30<sup>th</sup>, 1950

Dear Dr. Rajendra Prasad,

The Champaran Farms Enquiry Commission met and toured Champaran District to investigate into the processes of land accumulation in the District and the continual dispossessing or completed its field investigation on 8<sup>th</sup> June 1950.

It is now meeting in Bombay to write its report. The Commission during its investigation got the following evidence which it is putting before you. While you were the President of the Provincial Congress Committee in 1929-30, there was considerable agitation in the Ramnagar estate regarding the recognition of tenants who had cultivated Gair Mazarua Malik's lands, the cutting of disputes were complicated by the fact that the Ram Raja had obtained possession of the estate in 1927-28 but his position being anything but secure, he could not settle these disputes. A Congress Committee enquired into the grievances but failed to achieve a settlement.

During the regime of Congress Ministry a settlement of 44 bighas of cultivated land under the cultivation of the local tenants was settled in the name of your son Shri Mirtunjaya Prasad without salami by Ramnagar estate. We understand that 25 peasants cultivated that land then and some of whose home-steads were on that land as for example jangali Harijan and Bengali Harijan.

On 18<sup>th</sup> May 1947 another batch of 200 acres were settled with your son Shri Dhananjaya Prasad by Ramnagar estate without salami. This land was a jungle and the cattle of the local people used to graze on it.

The Commission will be very grateful if you will inform us of the correctness of the facts. The above evidence will only be used if the Government do not see their way to implementing the following scheme:

- (1) Reduction of all holdings to 30 acres or 20 Champaran bighas per family of five and their distribution to landless farmers and others of smaller holdings. (Note: This should apply to all cultivators and landlords including factory-farming. Such a redistribution will probably raise the minimum holding of every agricultural family to nearly 5 acres or 3 Champaran bighas. Various types of cooperation among these farmers will of course have to be tried.
- (2) All cultivable waste to be taken over jointly by the Government of India and Bihar with a view to the stoppage of all settlements on individual land-holders and to their cultivation by a food army.
- (3) Restoration of common lands such as pastures roads, grasslands, burning-ghats to the village panchayats and stoppage of all further encroachments.
- (4) Land Settlements or their revision in cultivated areas or towns shall be made only by the panchayat of the village or town concerned.
- (5) The appointment of a committee of Government to effect these changes.



We have appealed to the Government of Bihar to announce its policy in accordance with the scheme.

We will be grateful to you for any assistance in furthering the purpose of the landless peasants of Champaran.

Yours Sincerely  
Khurshed A.D. Navroji  
Rammanohar Lohia  
Ramnandan Mishra.

Appendix-II

(A Letter from Rajendra Prasad's Secretary to Hind Kisan Panchayat)

11<sup>th</sup> July 1950

Dear Friend,

Your letter dated the 30<sup>th</sup> June 1950 (which has also signed by Messrs. Ram Manohar Lohia and Ramnandan Mishra), has been received by Dr. Rajendra Prasad. He is surprised that it should have been addressed to him. Matters relating to the Bihar Provincial Congress Committee can be ascertained from the office of that Committee.

As regards the matters mentioned in paragraphs 2 and 3 of your, they should be addressed to Shri Mirtunjaya Prasad and Shri Dhananjaya Prasad. So far as Dr. Rajendra Prasad is aware, the information which you have received is incorrect and the facts stated therein are not true.

Yours Sincerely,  
Chakradhar Sharan  
Private Secretary to President

Appendix-III  
(A Letter from Kedar to Dr. Rajendra Prasad)

श्रीसीतारामजी

वोरिंग रोड,  
१८-४-४८

पुज्य राजेन्द्र बाबु,  
सादर प्रनाम,

दिल्ली मे फिर बात हो होगी लिकिन हम हजुर को सिर्फ दो पोयन्ट के लिये तकलीफ देना चाहते है। इसको अपने ख्याल से रखा जाएगा।

(१) यह कि rate of compensation हजूर वो वाजिव समझें खुद सें या मसवरे से साथियों के तय कर दे। हम इसलिये इस point को press कर रहे है कि इसमे बहुत अनर्थ होने वाला है जैसा कि हमने कल अर्ज किया था वो फिर भी लिख रहे है जैसा कि राजा बहादुर साहेव को एक स्टेट मे पंद्रह सौ वीगहा भावली जमीन था जिसमे छौव हजार मन धान और एक हजार मन रवी मिनतजाता था जिसमे साठ हजार का ग्रेस आमदनी आ जाता था। रेंट कम्प्युटेशन हो जाने के वजह [से] आमदनी वजाय साठ हजार से छौव जहजार हो गया। जिसमे साढ़े तीन हजार रूपयाँ गर्वमेंट रेवन्यु, सेस और क्लेक्सन यांजेंज कोरेह के बाद होगी बाकी अढ़ाई हजार रूपयाँ बचेंगा। इसका रेट उनको युकी और भी स्टेट उनके हाथ मे है जिस हिसाब सें विल मे रखा गया है 7 times के रेट से साढ़े सतरह हजार रूपया होता है जो 30 वर्ष मे पेमेंट होगा।

(२) चाहे जो भी हो rate of compensation हजूर तय कर दे- कम्पनसेसन पेमेंट का इंतेजाम तुरंत करवा दे ताकि उस रूपया से जमींदार लोग आगे कि लिए अपने और आने वालो बच्चों कि लिए कोई इंतेजाम कर सकें।

ताकि ये चीज जिसमे कि जमींदारों को उजुर है जैसे hats, bazaars, tanks, gardens & mineral lands, वकास्त वगैरह इसके सेटलमेंट मे हजुर को देर और दिक्कत नहीं होगा।

इनलोगो का तायदात पचास लाख से ज्यादा है और इनलोग आपके लोयल है। इनलोगो को rehabilitation का ख्याल आप कृपाकर के जरूर रखे। अब पुज्य महात्मा जी नहीं हैं इसलिये भार तो उठाना ही होगा।

विशेष प्रनाम,

आपका अज्ञाकारी  
केदार

Appendix-IV  
(A Letter from Maharajadhiraj of Darbhanga to Dr. Rajendra Prasad)



19  
DARBHANGA HOUSE  
Calcutta.  
The 16th July 1938.

My dear Rajendra Babu,

Many thanks for your letter dated the 26th ultimo. You must doubtlessly be aware, by now, of the agreement that has been reached between the Congress and the Zemindars; and I now await the publication of the promised statement. I hope this will be done at no distant a date.

I very much hope that you are improving and that it will be possible for you to continue at the helm of affairs in Bihar.

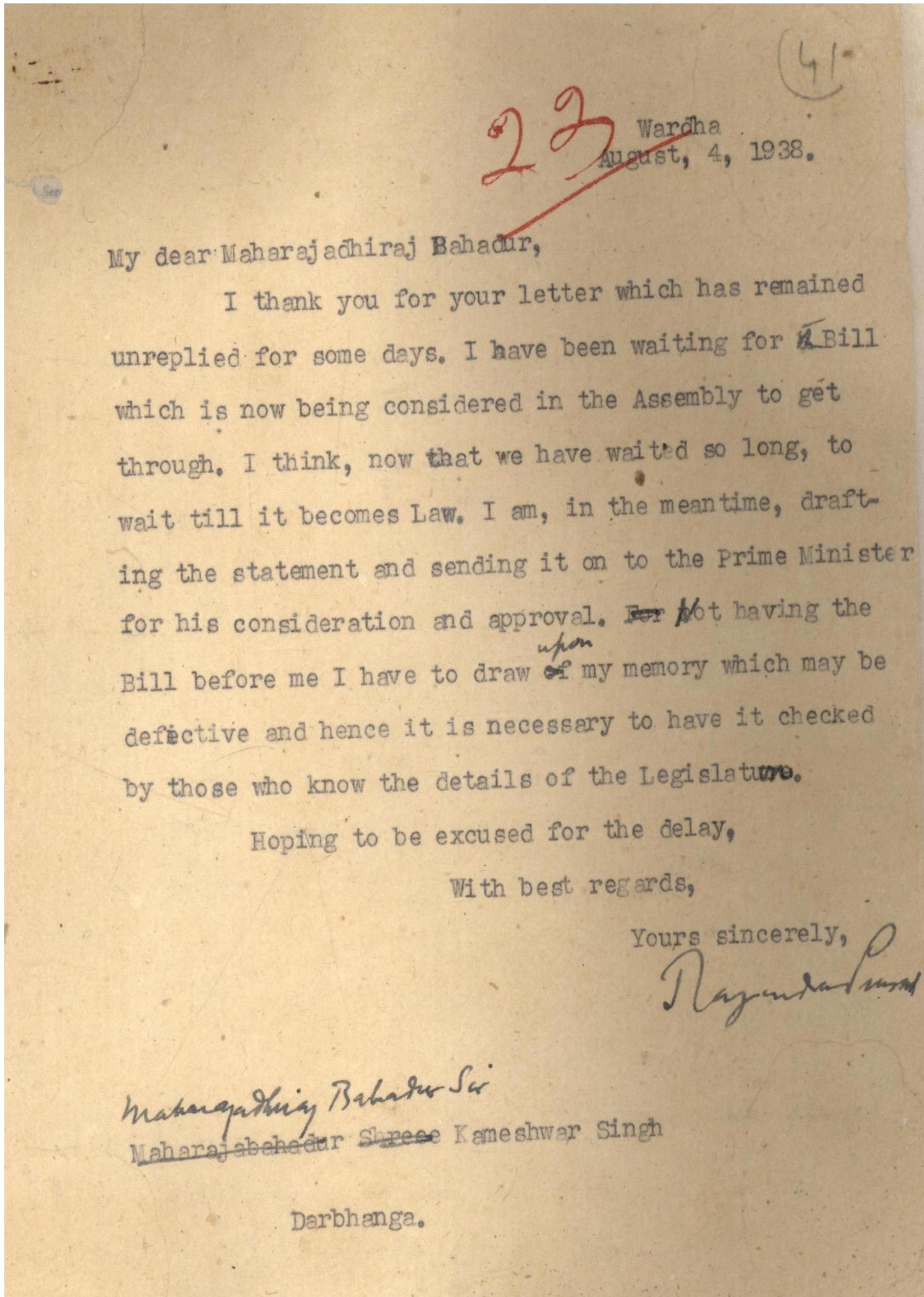
With kind regards,

Yours sincerely,

*Kanadwara Sir*

Dr. Rajendra Prasad,  
W a r d h a .

Appendix-V  
(A Letter from Dr. Rajendra Prasad to Maharajadhiraj of Darbhanga)



Appendix-VI  
(List of Illegal Transferred Land from Bettiah Raj)

S.N.	Name of (Tenants) Settles	Village where land is settled	Description of Land	Area Settled land	of
1	B. Ramlakhan Prasad	Domawalia	G.M.	28.18.8	
2.	B. Bishwanath Singh	Semra Labedaha	Nilami	5.16.6	
3.	Sheonandan Prasad	Sikti & Majharia	Nilami	8.9.11	
4.	Lala Fulena Prasad & Others	Domalia	Nilami	13.10.11	
5.	Bengali Missir	Demolia	Nilami	8.4.8	
6.	B. Jagtanand Bhramchari	Demolia	G.M.	8.7.15	
7.	Ramshish Pandey & Jugal Sah	Semra	Bakast	9.3.2	
8.	Mangla Missir & Others	Dumri	G.M.	8.14.14	
9.	Mahant Magani Gir	Bherachawar	Bakast GM	6.16.14	
10.	Tej Pratap Singh	Bherachawar	Bakast GM	5.2.4	
11.	Gazanand Missir	Semra Labedaha	Bakast GM	46.7.4	
12.	Shyamsubra Prasad	Semra Labedaha	Bakast GM	9.17.5	
13.	Gayanchan Missir	Semra Labedaha	Bakast GM	5.5.12	
14.	Sitaram Sharma	Semra Labedaha	Bakast GM	7.18.8	
15.	Satdeoman Missir	Parari	Bakast GM	11.8.4	
16.	Nagar Mal	Sukhwar	Parta	22.9.14	
17.	Bimla Kant Jha and Others	Baswaria	Bakast	48.0.6	
18.	Ramdeni Pandey & Others	Sawraha	Bakast	38.0.0	
19.	Raisaheb A. Singh (S.P.)	Sikit & Majharia	G.M.	8.4.4	
20.	Balgobin Dusadh & Others	Gonawali	---	35.19.0	
21.	B. Rajendra Singh	Bisha	Bakast	12.12.15	
22.	Shyamnandan Prasad	Bharwalia	Nilami	7.14.12	
23.	B. Chandi Rai & Others	Pana	Bakast	34.0.9	
24.	Brij Kishore Narain Singh	Garhia	Bakast	7.18.4	
25.	Rasik Bihari Saran	Bansgawn	Bakast	15.6.17	
26.	B. Sri Narain Singh	Baswari	Bakast	46.5.8	
27.	Mahant Magari Gir	Bhera Chawar	Bakast	8.2.15	
28.	Nageshwar Prasad	Chawtarwa	G.M.	20.0.0	
29.	Most. Fulkria	Bahani	G.M.	33.3.14	
30.	Pt. Babunandan Missir	Ahirwalia	Bakast	6.10.8	
31.	Pt. Rajapati Missir	Semaria	Bakast	33.6.0	
32.	J.W. Broucke	Chawtarwa	G.M.	53.4.14	
33.	Rameshwar H.C.	Bansgawn	G.M.	9.7.5	
<b>Total Land Settled</b>				636.7.10	

Source: Letter from K.B. Sahay (Revenue Minister, Govt. of Bihar) to Bipin Bihari Verma (Manager, Bettiah Estate), dated. July 17, 1947.<sup>1</sup>

<sup>1</sup> NAI, "Letter from K.B. Sahay to Bipin Bihari Verma, dated. July 17, 1947", *RP Papers*, File No. 1-S/47, p. 9.



Appendix No VII, List of Land Beneficiary under Land Ceiling Act

S.N.	VillageName	Beneficiary Name	Father's Name	Khata	Khesra	Rakba
1	Mathurapur	Mahaveer Thakur	Dukhit Thakur	110	320	103
2	Mathurapur	Dukha Das	Manraj Das	110	302	103
3	Mathurapur	Chandeshwar P	Manchan Paswan	110	302	103
4	Mathurapur	Kapildev Das	Nirdhan Das	110	302	102
5	Mathurapur	Bhuja Das	Makhan Das	110	302	102
6	Mathurapur	Radhe Paswan	Saryug Paswan	119	298	105
7	Mathurapur	Ramanand Rai	Suryakaran Rai	110	254	105
8	M. Bujurg	Ramsharan Paswan	Sunder Paswan	208	650	6
9	Berua	Jaga Paswan	Ramlal	108	1379	100
10	Berua	Budhan Paswan	Vishuni	108	1378	200
11	Berua	Parmeshwar Paswan		108	1379	100
12	Berua	Janak Paswan	Fudni	108	1379	100
13	Berua	Nagendra Paswan	Chhattu	107	1378	200
14	Berua	Jamun Ram	Bhuvneshwar	108	1378	34
15	Berua	Bhageran Ram	Bujhawan Ram	108	1379	60
16	Berua	Raghunandan Ray	Channu Ray	108	1379	400
17	Berua	Babulal Ray	Bechan Ray	108	1379	400
18	Berua	Fakira Ray	Mahaveer Ray	108	1379	400
19	Berua	Saryug Rai	Parmeshwar Ray	108	1379	60
20	Berua	Daroga Paswan		108	1376	221
21	Berua	Ram Surat Rai		108	1376	500
22	Berua	Tuni Rai		108	1376	300
23	Berua	Bhatbat Rai		107	1378	400
24	Berua	Jamun Ram		107	1378	34
25	Berua	Bhageran Ram		108	1376	60
26	Berua Deah	A.N. Jha		279	1985	216
27	Berua Deah	Nandipat Rai	Devan Rai	107	1378	400
28	Berua Deah	Dhanichand Ram	Shivdhari	106	1260	60
29	Berua Deah	Ramangoma Ram	Mohan	106	1260	60
30	Berua Deah	Dhaneshwar Ram		106	1260	60
31	Berua Deah	Gulli Paswan	Shivdhari Paswan	106	1260	60
32	Berua Deah	Rajendra Paswan	Darshan	106	1260	50
33	Berua Deah	Faguni Ram	Ramroop	106	1260	37
34	Berua Deah	Ramvilas Ram	Rajpati	106	1260	60
35	Berua Deah	Mahendra Mahto		951	455	29
36	Berua Deah	Ruplal Ram		951	125	40
37	Berua Deah	Shivchandra Paswan		1036	145	45
38	Berua Deah	Shivchandra Mahkto		269	47	117
39	Berua Deah	Jamun Ram		105	1259	100
40	Berua Deah	Sidheshwar Ram		105	1259	100
<b>Total Land Distributed in Following Villages under Land Ceiling Act</b>						<b>5732</b>

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