

CHAPTER-II

A Review of Zamindari system in Western Assam along with the abolition of the system

2.1: Mughal Revenue policy

The Zamindari system of undivided Goalpara district in Western Assam was the by-product of the Mughal revenue policy, which introduced as a measure of Revenue collection. The Mughal authority employed some intermediaries, assigning them the responsibility of revenue collection from the *ryots* for which they were given some fixed commission.

It is worthy to be mentioned, that as in other parts of the country the zamindari system in Goalpara district of Western Assam also had its origin from the feudalism. It developed as a Part of the Mughal administration. The feudal landlords, the Bhuyans, who were the dominant force in this part of the country under the “Kamata kingdom,” towards the later part of Seventeenth Century.¹ The feudal chiefs of Assam were known as Bhuyans, which can be ascertained from the views expressed by late Dr. Wise who observes, “that the word *Bhuyan* or *Bhyuian* is a Sanskrit word for Zamindar”.²

According to Irfan Habib, the Mughal territories consisted of two divisions, i.e *Jagir* and *Khalsa*. The great bulk of cultivable land was ordinarily in the possession of Jaigirdars (assignees). The *Jagir* land was generally assigned to the *Mansabdars*, holding definite ranks bestowed on them by His Highness, the Emperors. They received their monthly salaries either in cash from the royal treasury or in most of the cases, they were assigned a particular land as Jaigir.³ Such a Jaigir had been awarded to Mirza Nathan, the commander of Mughal invading

force in Western Assam, in Khuntaghat pargana for some years. The Jaigirdars held their land for a short period not exceeding four years and as such, possessed no permanent right on the Jaigir they held. The *Jaigirdars* in exchange of their service to the state appropriated the revenue of the area assigned to them. It therefore, becomes important to bear in mind that the status of a *Jaigirdar* was determined by the social and economic terms. The *Mansab* was not inheritable, though it was normally conferred upon sons or relatives of high *Mansab* holders, thus creating whole families of Khanazads who subsisted on *Mansab* from generation to generation. A Jaigirdar had, therefore, no permanent rights in his assignment. His claims too confined to the authorized land revenue and taxes.⁴

On the other hand, certain tract of lands was reserved for Royal treasury, which was called *Khalisa land*. Land not assigned to Jaigir was known as *Khalisa*. Its revenues were collected by officials for the Imperial Treasury, which obtained the bulk of its income from these sources. The size of *Khalisa* varied from time to time. In Akbar, s later years, it accounted for quarter of the total jama, in at least three provinces. Under Jahangir, the proportion fell to as one-twentieth in the whole empire. Shahjahan gradually raised it to one-seventh.⁵ The Mughals instead of taking the trouble of collecting the revenue they appointed some intermediaries for collections of the revenue on some commission basis out of their collected amount or through Nankar land allotment, these intermediaries were called *Zamindars*.

“The term zamindar is a Persian compound meaning keeper or holder of land (zamin). The suffix dar implies a degree of control, or attachment, but not necessarily ownership. The use of this suffix may be seen in such compounds as *Faujadar*, *Thanadar*, *Jamadar*, or *Subadar*.”⁶

The term zamindar is defined by a *Ray Rayan*, principal of revenue department in the following words: "A zamindar is a person possessing hereditarily on the conditions of obedience to the ordinances of Government a tract of land...subject to the payment of revenue."⁷ Sir John Shore in reference to a zamindar observes that the relation of a zamindar to government and a ryot to zamindar is neither that of a proprietor nor a vassal but a compound of both. The former performs the acts of authority unconnected with property rights. The later has right without real property and the property of one and the right of other are in a measure held at discretion.⁸ The zamindari, whether acquired through conquest, colonization, purchase or imperial favour, could be held on the basis of paying a stipulated tribute or as a revenue assessment or as a non hereditary grant from the ruler. It varied from the share in a village to right over an entire district or *Sarkar*. However, it generally, appears to have been a saleable hereditary right with which the imperial authority did not normally interfere.

The word zamindar seems to have been used in the sense of the chief of the territory in fourteenth century. It was during Akbar's time that the term used frequently for any person having hereditary claim to a direct share in the peasants produce. It was the latter sense which became predominant during seventeenth century, the term zamindari replacing or altering with a large number of local terms for agrarian rights of different kinds, viz. *Khoti*, *Muqaddami* in Doab; *Satarabi* and *Biswi* in Awadh, *Bhumi* in Rajasthan, *Bhuyans* in Assam and *Banth* or *Vanth* in Gujarat. Where as in Bengal, the zamindar was called upon to answer for the payment of land revenue within the area of his Zamindari; he seems to have collected the land tax from the peasants at rates fixed by custom or by himself and to have paid the amount imposed on him by the Mughal

administration. The balance left with him constituted his income. In the large part of the Mughal empire, on the other hand, he was expected to collect the land revenue from the primary assesses (cultivators), in return he was given, simply an allowance of one tenth, either in cash or in allotment of revenue free land.⁹ If he failed in his duties, he would be excluded from the land altogether, but be paid 10 percent of the land revenue as Malikana.

The Mughal administrators made the persons zamindars of a particular territory on which they had hereditary right on the share of the produce of the peasants. It is found that the Mughal Emperor assigned the responsibility of collecting the land revenue on the Rajas or chiefs of the conquered territories for a stipulated sum of tribute. This was done as a part of their policy for consolidation of their empire.

“Historically, the zamindari right had close association with caste and clan dominance. Zamindars of a locality often belonged to the same caste. Moreover, a zamindar needed not only the support of his relatives, but also the possession of retainers (ulus) and forts to protect and enforce his claims. The “Ain i Akbari” in its celebrated account of the twelve subas, not only records the zamindars caste or castes, but also the number of horses and retainers employed by the zamindars in each parganas.”¹⁰ The zamindars thus formed a semi – military class, who could not be ignored politically by any regime. At the same time, the zamindari right was in itself an article of property. It inherited according to the same laws and customs as governed the inheritance of other property. We find ordiNaray zamindar, usually, was broken up into equal shares for distribution among sons.”¹¹

As stated by the writer of Cambridge Economic History of India “the zamindari right was what may be called the ‘uneven development’.

That is, within the same district some villages would lie in a full-fledged zamindari in the possession of a few persons: other villages used to be largely peasant held (ryoti) with no recognizable persons as zamindars. The peasants of the village might sell away their rights to a person, who would thus become zamindars of the village. In less orderly circumstances, force might also create a zamindari where no Zamindari existed before. Finally, the Mughal administration too might not only supplant zamindars, but even create new zamindars over peasant's village".¹²

The Mughals accepted the land of Hindu rulers throughout the country, who had sovereignty over their territories, but submitted to the Muslim ruler on conditions, which allowed them full authority with regard to internal jurisdiction. In returned they had to pay fixed tribute or personal service to the Mughal Government, but in either case the Muslim administration, did not ordinarily interfere with the assessment or collection of the revenue so long as the terms were fulfilled.^{13s}

Amalendu Guha observes that there were two classes of zamindars in the Mughal Eastern India: one class was those who had been previously independent ruler and losing to the Mughal became tributary to them. They enjoyed zamindary hereditarily in their own land. Their annual payment to the Mughal was called Peskosh or Nazrana. The other class was formed by the person of influence in the region, having been delegated to collect revenue from the ryots for a particular pargana or a group of parganas. They were called choudhuries. Their right was also developed to hereditary but their payment of revenue was called "Jama" not Nazrana or Peskosh.^{13a} Bijni Raj Estate was the typical example of the former category while the Gauripur Raj Estate was an example of

later category. Besides, some local chiefs had limited right over the produce of the peasants. They were treated as primary Zamindars.¹⁴

Introduction of zamindari system in western Assam was the outcome of the Mughal policy towards the conquered land. Parikshit Narayan, the last independent king of eastern Koch kingdom better known as Koch-Hajo kingdom had no option but to surrender to the Mughal force after his defeat at their hand. He was taken to Delhi before Emperor Jahangir, who agreed to restore his kingdom as a vassal on a term of payment of *Peskosh*. Nevertheless, the sudden death of Parikshit Narayan on way home led the Mughal to annex his kingdom to the Mughal Empire. This caused wide discontentment among the Koch mass and armed resistance was offered by the Koch under the leadership of Koch princes and anti Mughal revolt was took place throughout the region. Chandra Narayan, the son of Parikshit Narayan, under such situation was installed as a vassal king on a small tract of land of Koch-Hajo kingdom of Parikshit Narayan. This kingdom came to be known as Bijni kingdom and it was the real base of zamindari system in western Assam. Chandra Narayan had to pay the fixed *Peskosh* to the Mughal. The Bijni Raja was the defacto ruler of the Bijni estate and thus the assessment and collection of revenue continued on the traditional line without the interference of the Mughal Emperor.¹⁵

Thus, the creation of Bijni Raj Estate was not out of the sweet will of the Mughal but as a part of their strategy of quelling the Koch opposition. They wanted to consolidate what they had acquired by conquering Koch kingdom. In the subsequent years, more zamindaries were carved out of the Bijni kingdom by the Mughal emperor. Thus, Gauripur, Parbatjoar, Chapar, Mechpara, and Karaibari Estates were created out of Bijni kingdom. Only Habraghat and Khuntaghat pargana

were with the Bijni Raj estate. The emergence of each zamindary was caused by different situations and reasons.

During early period of the Mughal's rule in western Assam, the northeastern frontier tract bordering the Garo Hills were divided into some estates and was held for the most part by their original hereditary chiefs, called choudhuries. They protected the lives and properties of the dweller of plain areas from the outrages of the hill tribes, the Garos. Their estates never subjected to revenue assessment. They paid tribute from sayer and not from land revenue.¹⁶ The zamindary of Mechpara and Karaibari were created under such circumstances.

Prior to the accession to the power in India by the Mughals, a peculiar practice was followed by most of the native rulers concerning the revenue collection. The revenue assessor made revenue settlement with village Headman, as each village constituted a small community. Indeed, the village Headman was the regulator of the village. When the revenue agents of the Government transacted village by village they levied a particular sum for each village as a whole, not on the separate portion of land or on the individual peasant. They came to term with the village Headman, who settled the individual quota due to the state, collected and paid to them.¹⁷ After their rise to power, the system was not altered by the Mughal. The villages brought under pargana or district. The Headmen of the pargana were elected initially, but subsequently, the state nominated the Headman and entrusted to them the collection of revenue of which a portion allotted to them as commission. They also received from the village subsistence allowance in the form of grant of Nankar. In course of time the office became hereditary.

The system was in practice in Kamata kingdom, which was disappeared during Koch rule, but there was a definite section of people

in eastern India who enjoyed certain privileges in matter of revenue collection, i.e. a portion of revenue collected from the peasant was left for their consumption. They were known as the zamindar, or Bhuyans, in different localities. In fact, their co-operation was indispensable for the collection of the revenue from the peasants of the pargans. In view of their dominating position, one leading zamindar was entrusted with the responsibility of collection of the revenue of one pargana or a group of parganas, and he was granted a commission thereof. Their hereditary right was recognized and they were treated on the same footing of the Choudhuries and the commission appropriated by them was called "choudhurai".¹⁸

The zamindari of Chapar and Parbatjoar of western Assam might have been created out of the anxiety of the Mughal govt. to extend cultivation to forestland in Parbatjoar and wasteland or char land in Chapar Pargana.¹⁹ The zamindar of Chapar and Parbatjoar estates were also choudhuries. It should be noted that the Mughal Emperor, in their anxiety to extend cultivated area, freely bestowed zamindari right on those who would bring forest and wastelands under cultivation.²⁰

In the later parts of the Mughal rule, especially during the second half of the eighteenth century, a new feature in the collection of revenue from the ryots was introduced. They entrusted to certain individuals, their officials or other to collect revenue from the peasants of a particular area irrespective of actual produce or collection made by the peasants who entered in such contract.²¹ This practice of contract or farming continued almost to the end of the Mughal rule and the practice was affected in the area under Khalisa. Land in eastern Bengal was mostly farmed out to a section of the people, who enjoyed certain privileged viz. a portion of revenue collected from the peasants was left for their personal

consumption, as in the case of Choudhury referred to.” They were also granted lands free of rent called Nankar. The zamindary of Gauripur was created in such a manner. Being appointed Kanungo, Kabindra Patra received huge Nankar in two times, and became a leading zamindar of the district of Rangamati. The family descendent from him was known Rangamati Barua.²²

Thus it is seen that the zamindars in western Assam, proceeding to the accession of Dewani by the East India Company, were created under different circumstances in different times.

Origin of the Bijni Raj Estate was due to loss of independence by Parikshit Narayan and his son was conferred with the zamindary of a small tract of land of the Eastern Koch kingdom. Estates of Mechpara, Kalumalupara and Karaibari were erected by acknowledging the old land holder of the border area of Garohills, who defended the people from the Garo outrages. Zamindary of Gauripur Raj Estate was emerged from Nankar land granted to one Kabindra Patra who was appointed as Kanungo at Rangamati. The post became hereditary and later on developed to a preserved right to the land of which they had been the revenue collectors; subsequently they came to be known as Raja of Gauripur. Zamindary of Chapar pargana and Parbatjoar estate were created for reclamation of land and the right became hereditary.

2.2. Revenue Administration of the British in Western Assam

After the accession to the Dewani of Bengal, Bihar and Orissa, by the East India Company, the region of Goalpara district in western Assam passed on to the possession of the Company as a part of Bengal. It is to be mentioned here, that while the British experimented with different modes of collection of revenue in Bengal, the zamindars of

Western Assam were left undisturbed, probably due to the peculiar geographical situation.²³ During the period from 1765 -1793, the main object of East India Company was to enhance the sum of the "jama", because by this they had to purchase the merchandise to export and incur the expenditure of the frequent wars in India for expansion of their territories. For this Warren Hastings adopted the policy of giving the *Ejara* of revenue collection to the highest bidder and experimented for the settlement with the zamindars for one year, five years and ten years.

Eventually the Company realized two things: 1) Due to frequent change of economic condition of the peasants, the income on revenue became uncertain every year affecting the preparation of Annual Budget of the Company, 2) without the help of old zamindars it was not possible to collect revenue. To remove these inconveniences the Company decided to make permanent settlement with the zamindars in Bengal.²⁴

The Decennial settlement of 1790-91 made by Lord Cornwallis, then Governor General of Bengal, was declared permanent by Regulation-1 of 1793. It extended to Goalpara, then forming part of Rangpur collectorate prior to Decennial settlement the zamindar was in reality a mere Head Receiver or collector of government land revenue from under tenants. There was no fixed principle governing the rate of rent, or the modes of its recovery from the under tenants. The want of settled rules and practice led to extortion, fraud concealment, and to remedy this unsatisfactory state of land management, the Decennial settlement was eventually made perpetual. The *onus* of payment of the revenue was thrown on the Zamindars, considered person of substance; the punctuality of payment from the zamindars was enforced by the penalty of confiscation of their Estates in case of delay but powers were given to the zamindars to collect from the ryots.²⁵

In Goalpara district of Western Assam, which was then treated as a part of Bengal, the Decennial Settlement was also made with the zamindars of it viz; zamindar of Bijni, Gauripur, Parbatjoar, Chapar, Mechpara and Karaibari Estates. Cornwallis, the then Governor General declared the Decennial Settlement to have been fixed in perpetuity. He declared that the zamindars, independent Talukdars and other actual proprietors of land with or on behalf of whom the Decennial Settlement had been concluded, no alteration would be made in the assessment which they respectively were obliged to pay, but that their heirs and lawful successors, would be allowed their estates at such assessment forever.²⁶ The article of Proclamation enacted into a Regulation, known as the Bengal Regulation 1 of 1793, on the First, May 1793. Under this Regulation, various landholders of Goalpara, as in other parts of Bengal, grouped in one class i.e., the zamindars and they were made proprietors of land. Their succession to the land were not made hereditary but they were also empowered to transfer their property right by sale, gift or otherwise. Of course, the state could transfer the property right conferred on the zamindars by open auction in the market for failing in punctual discharge of the revenue assessed upon their lands.²⁷

Concerning the "jama" the assessment of revenue, the Permanent Settlement fixed it at Tenth/Eleventh of the revenue which they paid.²⁸ But "Jama" fixed on the estates in western Assam was alterable. According to A.J.M.Mill, in 1853 the total Jama, in respect to the twelve Parganas of Goalpara district was Rs. 15330-13 anna 13.5 ganda but Rs. 5737,-2.a, -15 g were deducted from the amount as the compensation awarded to the zamindars for Sayer abolition. So the net Jama was reduced to Rs. 10158-10a-18.5g.²⁹ As stated by B.C.Allen, though the land revenue demand on these estates was Rs.11, 411. Government paid

back to the zamindars Rs.8556/ as compensation for the abolition of market dues and other illegal cesses. Thus, the net revenue was only Rs.2885/-³⁰

The revenue demand on the estates of Goalpara district in western Assam was low in comparison with the revenue fixed in Bengal. That is why the dispossession of estates for arrears of revenue was rare in western Assam; while more than half of the estates in the whole permanently settled areas were actually sold for arrears in 1797.³¹ The only Estate sold for arrear of revenue was Karaibari in western Assam, whose zamindar; Mahendra Narayan Choudhury was dispossessed of his zamindari in 1809, for arrear of payment. The fixation of "Jama" was assessed, based on the rent actually collected from the ryots by the zamindars of Goalpara during Mughal period.

The tribute money of Rs. 2000/ fixed on Bijni in 1788 was accepted in 1790 as Jama and the Bijni Raja.³² had paid the rate with a deduction of Rs.850 / as compensation.

In 1794, Karaibari, Kalumalupara and Mechpara were made Istimary Mahals (paying rent in perpetuity), but the assessment were low. The revenue demand on these estates, further reduced on the ground of abolition of Sayer dues, which these zamindars used to collect from the Garos, with a view to compensating the loss incurred. Due to abolition of Sayer dues, an amount equal to the income for Sayer, deducted from their annual Jama payable to the government. Incase of Karaibari the compensating amount granted to the zamindar exceeded the amount of Jama due from the estate³³

The British converted the tributes to land revenue before the Permanent Settlement. All the zamindars except the Raja of Bijni accepted the conversion of the tributes as land revenue. The Raja, to the

end claimed that he should be treated as a native ruler, as had been done on Koch Behar, which was ruled by another branch of the same original Koch dynasty.³⁴

Eventually, Bijni Kingdom was reduced to a zamindary comprising of pargana of Habraghat and Khuntaghat, and Nij Bijni. Habraghat and Khuntaghat were under the Mughal Empire for which the tribute was paid to them but for the Nij Bijni tribute was paid to Deb Raja of Bhutan who held the authority on the Duars (Nij Bijni). The argument of the Bijni Raja was that Nij Bijni was out side the British territory and what was paid to the British was tribute, not land revenue and he should be treated as tributary chief. However, Commissioner, Jenkins and collector, Reynold, turned down his claim. As to the claim, it is said, "he held this zamindary as an independent chief and that Government accepted the revenue under "Lalbandee". Jenkins was of the opinion that this was a mere act of courtesy: the Raja being of the Koch Behar Raj family, he was called Raja, but at the same time, he was also styled the zamindar of Bijni. Ultimately, the govt. of India concurred in the view of the officials and declared that the pretension of this person to be considered as holding the pargana by tenure, different from that of ordinary zamindars, appeared to be wholly groundless.³⁵

The objectives of the Permanent settlement were summarized in the preamble to Bengal Regulation. Contemporary opinions claimed a number of advantages for the permanent Settlement. As Grover observes, "Financially the Permanent settlement secured a fixed and stable income for the state and the state could depend upon that income, monsoon or no monsoon. Further, it saved the expenses that had to be spent in making periodical assessment and settlement.

Economically, it was claimed that the Permanent Settlement would encourage agricultural enterprise and prosperity, wasteland would be reclaimed and soil under cultivation would be improved, the zamindars would introduce new method of cultivation like better rotation of crops, use of manure etc. Thus, the settlement creates condition for the development of the fullest power of the soil. This, in turn would create a contented and resourceful peasants.

Politically, Cornwallis expected that the Permanent Settlement should create a class of loyal zamindars, who would be prepared to defend the Company. Thus, the permanent Settlement secured for the govt. the political support of an influential class in the same way as the Bank of England had for William III after 1694.

Socially, it was expected that the zamindars would act as the natural leaders of the ryots and show their public spirit in helping the spread of education and other charitable activities

Lastly, it set free the ablest servants of the Company for Judicial services; further, it avoided the evils normally associated with the cultivators, the tendency on the part of the cultivator to leave the land to deteriorate towards the end of the term to get a low assessment etc.³⁶

What was the expectation of Cornwallis on Permanent Settlement was not fulfilled in the end. Rather, it soon turned into an engine of exploitation and oppression. It created "feudalism at the top and serfdom at the bottom". Many of the advantages claimed proved to be illusory.

Financially, the state was proved great loser in the end. The advantages of a fixed and stable income were secured at the great sacrifice of any prospective share in the increase of revenue from land. Even when new areas of land were brought under cultivation and the

rents of the land already under cultivation had been increased manifold, the state could not claim its legitimate share in the increase. The state demand fixed in 1793 remained almost the same in 1954.

The Permanent Settlement retarded the economic progress of Bengal. Most of the zamindars did not take any interest in the improvement of land but were merely interested in extracting the maximum possible rent from the ryots. The cultivators being under the constant fear of ejection, had no incentive to improve the land. Besides, the zamindars did not live in their respective Estates; rather they lived an urban life in the cities where they wasted money and times in luxury. A host of intermediaries grew up between the estate and the cultivators. This process of sub feudalism, some times reached ridiculous proportions, they looked to their profits, and the ryots was reduced to the position of a pauper.

Of course, because of Permanent Settlement the zamindars along with other stake became the favourite children of imperialism. However, the British administration gained the loyalty of the few at the cost of the alienation of the masses. Besides, the system divided rural society into two mutually hostile classes; namely, the Zamindars and the Tenants.

The most devastating aspect of Permanent Settlement was that by recognizing the absolute right of ownership of the zamindars, the Company sacrificed the interest of the peasants, whether of property or of occupancy. In a way, the peasants suffered from double injustice, firstly, surrendering their property right, and secondly, left at the mercy of the zamindars, who perpetually exploited them.³⁷ It seems, that the British authority were liberal to the zamindars of Goalpara in western Assam, for no detail survey was made for the assessment of revenue on them, it was fixed in lump sum. But, all the expectations had been rudely ignored; the

zamindars did practically nothing for the improvement of their Estates, but renting out them frequently.³⁸

The revenue measures introduced by the British caused wide discontentment to some of the zamindars of Goalpara district of western Assam, as they considered themselves as the descendants of independent or semi independent chieftains. The spirit of disloyalty and rebellion was rampant amongst some of them. In November 1789, Ranaram Choudhury, the zamindar of Mechpara, with a band of 500 Barkandazes attacked the Company's factory at Goalpara. But being defeated in the engagement he retired to the nearby jungle and breathed his last there some time in February, 1790.³⁹ The Raja of Bijni refused to pay the money, but was induced to agree upon it.⁴⁰

Some of the zamindars of Goalpara, used to collect *Sayer duties* from the Garos on their produce sold at the border markets established by them during Mughal period. Though the Governor General issued an order directing the Sayer collection to be abolished, the border estates in Goalpara were being regarded as tributary Mahal, were exempted from the operation of the general rule in respect of *Sayers*. Thus, while the other zamindars of the country were deprived of this feudal right, the zamindars of Mechpara, Kalumalupara and Karaibari retained with them the right to collect the Sayer duties till 1813, when Sayers duties were abolished.⁴¹ But the govt. granted compensation on account of the abolition of Sayer dues, as has already been mentioned.

The Permanent Settlement secured for the zamindars of Goalpara in western Assam the whole advantages of raising rent. While the govt. revenue demand was fixed forever, the zamindary demand on the ryots was left undecided. It is seen that the period under Permanent Settlement, witnessed the increase of zamindar's rent in Goalpara. In 1825, the total

revenue of the entire Permanently Settled areas came to only Rs.11, 411/- , while the zamindar's rental exceeded almost six times of it.⁴² At the time, when Bijni Raj Estate was under the management of Court of Ward (1854-1874), its annual income was amounted to Rs. 121,599, but the government revenue was only Rs.2355/.⁴³After acquisition of the zamindari by the govt, in 1956, the total revenue assessed in the Permanently Settled areas of Goalpara was Rs.15,86,391/-, but according to the Permanent Settlement the government revenue share was only Rs. 11411/-.⁴⁴

There was gradual accumulation of huge amount of money in the hand of the zamindars; but contrary to the expectation of the framer of the Permanent- Settlement, the zamindars of Goalpara did not spend this money in capital investment; it spent for their personal pleasure only. Besides, the non productive consumption of the surplus value of the land settled with them, the zamindars belied the hope of the framer of the Permanent Settlement by not fulfilling the Patta Regulation.

“The framers of the Permanent Settlement Regulations, as referred to earlier, expected to have the zamindars turned into economic entrepreneur. But the historical backdrop of the social and cultural upbringing of the zamindars in Goalpara was not conducive to it. Being the descendents of independent and semi-independent chieftains, the zamindars were imbued with a sense of their own importance. They considered themselves to be looked as Raja, like the independent Rajas, they also in a befitting manner, issued grants of lands for the up taking of the religious institutions. Apart from the creation of rent free tenure for the estate's servants, the zamindars granted large Lakraj to their near relatives and other families of high status.”⁴⁴ Pratap Chandra Barua, zamindar of Gauripur married Anandamai, the daughter of one late

Kalikanta Basu in the year 1258 B.S. He gave, as a gift to his father-in-law's family, a big property in Mauza Kaldoba for their maintenance.⁴⁵ Raja Mukunda Narayan of Bijni granted Sanad to one Kamal Kanta Barua in 1191 B.S by virtue of which the donee received 700 bigas of land in Mauza Symraipara, 3500 bigas in Kayathpara, /Kayasthpara and 4450 bigas in Mauza Mauriapara as *Mukrari land*⁴⁶

The Permanent Settlement affected the relation of the zamindars and the ryots, where as it had been much cordial during Mughal rule. The ryots were granted exemption of rent by the zamindars in the case of damage of the crops by natural calamities. During Mughal rule zamindars right on land was not recognized. The zamindars could not evict the ryots from land in the case of default in payment of revenue. But the Permanent Settlement made the zamindars owner of the land. The occupancy right of the peasants on their land was not recognized.

It was expected that the availability of land and paucity of cultivators would force the zamindars to protect the customary system in favor of the ryots. The patta and Kabuliyat system would legalize the tenancy right. Part. 7 of regulation I of 1793 Act would have been enabled for the protection of the right of tenants, talukdars and the cultivators.⁴⁷

The exchange of *Patta* and *Kabuliyat* was rare in Goalpara.⁴⁸ By way of *Patta* system; the zamindars were directed to consolidate at their demand upon the ryots and to specify the amount to be paid for the lands they occupied. But Government did not define or limit the demand of the Zamindars and ryots. It was left to be decided by the mutual interest of the zamindars and ryots.

In fact, Government were not in favour of interfering between zamindars and ryots in respect of fixation of rent, as the government

considered that this would amount to breach of faith with zamindars.⁴⁹ As was pointed out by the Select Committee of 1836, the failure to define the right of the *Ryots*, practically, defeated the intension of the permanent settlement Regulation.⁵⁰

2.3. Goalpara Tenancy Act

There was no rent law in Goalpara up to the end of the nineteenth century. In 1892, the Bengal Act VIII of 1869 extended to this district after the lapse of seven years of passing of the Tenancy law (1885). Till then, the zamindars in western Assam were virtually left free to act according to their own sweet will in matters of fixation of rent and Abwabs. The ryots were not only to bear the burden of enhancement of the different officials of the zamindars.⁵¹ The relation between the tenants also tortured rent, but they and the zamindars in Goalpara were often vague and not all clearly defined. In fact, it differed from place to place even in some vital aspects, within the same Estate, as in the case of Bijni Estate.

The Goalpara Tenancy Act, wanted to give the people some rights, which had not then been enjoyed by them. In doing so, it was sure that some of the rights of the landlords would be curtailed. Goalpara of western Assam being the border district has very little affinity either with any district in Bengal or Assam. It has certain peculiar characteristics of its own, based on local usage and customs.

In 1886, the Assam land Regulation was passed which was theoretically, in force in the whole of Assam including Goalpara, although for all practical purposes Act VIII of 1869 was taken to be the law for the District.

As to whether Act VIII of 1869 should be allowed to continue in Assam or the Assam Land Revenue Regulation would be put strictly in force or whether a new law should be passed, these questions continued to vex the Govt. of Assam ever since Goalpara came under province of Assam in 1874. The question had, therefore, been allowed to drift away and perhaps to avoid difficulties, the Assam Government decided in 1881, that Assam land Revenue Regulations must supercede Act VIII of 1869 in the permanently settled Estates of Goalpara.

A special rent law for Assam was actually drafted in 1883 by a conference of Assam officers but the draft was never made public. It was however, dropped but would certainly throw some light about Government policy for Goalpara. In 1896, it was proposed to extend the Bengal Tenancy Law to Goalpara which was ruled out by Chief Commissioner. In 1902 there was attempt to extend some section of the Bengal Tenancy Act to Goalpara but it was not accepted. In 1907 Mr. Manahan, secretary to the Chief Commissioner of Assam held a special inquiry for advising on a general revision of the land law and submitted his recommendation. In 1912, the zamindars themselves moved to the chief Commissioner and were asked to investigate and report on the defects of the existing Rent Law.

The existing law with its imperfections and inadequacy to meet the needs and conditions in Goalpara had been frequently brought to the notice both of the Assam Legislative Council and outside it. In consequence of a resolution passed by the council in 1925, Govt. appointed a Representative Committee of 17 persons in November 1926 to produce a workable bill on the essentials of which it would be possible for both land lords and tenants to agree. The bill was the result of the

committee's labour and in 1929, 27 November the Goalpara Tenancy Act was passed.

The bill adopted the principles of the "settled ryots" contained in the Bengal Tenancy Act, and in the main, followed that legislation in regards to the actual and incidence of the occupancy right. It conferred a similar right on the Jotedars, who had played an important part in the agricultural development of the district and contained various other provisions not to be found in the Bengal Tenancy Act, but were required to meet local conditions. It made occupancy holding definitely transferable, subject to the payment of transfer fee to the landlords (clause 19 to 25). It regulated the unauthorized occupation of land, a question of peculiar importance in Goalpara, which had given rise to much dispute in the past, (clause 56 to 58), and the provisions in accordance with local customs, (clause 59 to 62), while another vexed question relating to the right of tenants and landlords in trees was dealt with in clause 82.

The Goalpara Tenancy Act wanted to give the people some rights which had not yet been enjoyed by them. The special character of the Goalpara Zamindars, as they were descendents of hereditary chiefs, was preserved and protected and they did not lose any rights and privileges, which were granted to them by the Permanent Settlement of 1793. The Goalpara Tenancy Act was applicable to the permanently settled portion of the district, but government reserved powers to extend it by notification to other portions.⁵²

The ryots under the zamindars of Goalpara in western Assam, prior to the enactment of Goalpara Tenancy Act, 1929 may be grouped under three categories: viz, 1) *Jotedar*, 2) *Chuknidar*, and 3) *Adhiar*. Jotedars were of two distinct classes, firstly, the Jotedars described in paragraph 10 of Mr. Manahan's Report, whose predecessors originally took waste

land from the zamindar for the sole purpose of cultivation.⁵³ Secondly, the Jotedar, who was a mere intermediary engaged by the zamindar between himself and the cultivators. Of these, the second class were the relatives and friends of the zamindar, who sought such position of the jotedar so that they might lord it over sub-tenants and under tenants or ryots.⁵⁴ Both the classes were the ryots with occupancy right under the Act VIII of 1869.

In western Assam the actual cultivators very rarely held their agricultural field directly from the zamindar. In certain cases, but such case were rare, the zamindar made a direct settlement with the cultivators themselves. These ryots were termed as the *Karori Karfa* ryots and were simply tenant at will. There were some other ryots, who held land directly from the zamindar, who in lieu of paying money rent rendered certain service to their landholders. They were known as the *Sickbays* or *Khudhas*.⁵⁵

2. The *Chuknidars* were the man who held land under the jotedars and sometimes, he was a sub-tenant of a sub tenants. He was regarded as a mere tenant at will, and if the jotedar delivered him a notice to quit, he was bound either to go at the end of the year or to accept whatever term the jotedar might think proper to impose on him. If he did not quit or agree, the jotedar sued him in the court, which treated him as a trespasser and passed order for ejection.

3. The *Adhiar* was of a still lower standing. The jotedar or lease holders parceled out the land of the adhiar who held land from him for a share of the crops. The adhiar was called the "Praja", the law of the land or custom gave him no higher status than under ryots liable to be evicted at the will of his employer.

Thus, between zamindar and actual tiller of soil there were a number of intermediaries. There was sub infeudation, which was the result of the Permanent Settlement. For the margin between the land revenue and the actual collection of rent from the tenant had permitted the creation of intermediate interest between the zamindars and the actual tiller of the soil.⁵⁶

2.4. Grievances of the tenants against the zamindars:

The relation between the landlords and the tenants in Goalpara of western Assam, therefore, has never been really cordial. As stated, the land lords were left free to act according to their sweet will in the matter of fixation of the rent by the permanent Settlement of 1793. They used to frequent enhancement of land revenue on the ryots and the later had to carry on the burden by dint of their economic hardship.

In western Assam, all classes of ryots had distinct grievances against the zamindars. Their grievances were related with 1. evils of management: 2. collection of illegal *abwabs*: and 3. Frequent enhancement of rent. The evils of the separate management of undivided estates caused undue harassment to the ryots. The management of zamindary was imperfect in case of all zamindars of western Assam. The officials and *Amlas* of zamindars were engaged in moneymaking and extortion from the ryots.

Though, the collection of *abwabs* was declared illegal by the Permanent Settlement Regulation, these were being collected by the zamindars of Goalpara. The illegal *abwabs* thus collected had no fixed limit and this caused discontentment among the tenants. The tenants were found to pay the *abwabs* without protest due to fear of displeasure of the zamindars and they were also not willing to quarrel with their land lords.

They paid up the *abwabs* to keep the zamindars and their Amlas in good tempers and thus, staved off the enhancement of rent, which could be legally demanded. Eventually the provisions of the Act VIII of 1869, provided for the recovery of the *abwabs* by suit with damage. But, this was not practicable. No tenant dared to file suit against their land lord because they simply avoided the incurrence of the hostility of their land lord. Besides, their financial condition did not allow them to go to the court to file suit. As stated in an official note, "He pays the *abwabs* which is the *dastur* to pay. It is only when new imposts are imposed that he moves, and when he does move, it is not only through appeal to the court but by a combination of measures to stop the payment of rent which leads to so many agrarian troubles in the Bengal part of this province".⁵⁷

Frequent enhancement of rent was a general feature of the zamindari management in western Assam (Goalpara district). Of the Estates, Gauripur, Mechpara and Karaibari enhanced rent frequently. It was pointed out by Boston Bell, Director of Land Records, in 1907 that rent in Gauripur estate had been raised by private contract: "I do not know what the total enhancement has amounted to, but I come across individual cases in which the new rent is much more than double to old rent".⁵⁸

The highest grievances of the ryots related with the frequent enhancement of the land revenue by the zamindars. In course of settlement commenced by the zamindars in the beginning of twentieth century, an all-round enhancement of about a rupee was fixed. In Mechpara, many of the jotedars fled away to other places owing to damage of crops caused by earthquake of 1897: many of them were induced to in the estate by the offer of lowering the rate of the rent. After some years, land had gradually improved and there came an inrush of the

new tenants from Maimensing and other part of East Bengal, consequent of which the demand for land increased. The Manager of these estates seized of the opportunity by enhancing rents. The system known as "*Hajat Jama*" in Rangpur was introduced in Mechpara: the rent was fixed at higher rate but "as a favour" only a part of this was demanded to pay. What is interesting was that the favored part itself was higher than the rate in existence, and this had undoubtedly created ill feeling among the jotedars. The rate fixed was rupee one, while the favored rate for collection was Anna / 10/. After five year the jotedars were required to pay the full Rupee. It was an increase of 100 percent over their previous rent. In Gauripur, too the system of *Hajat Jama* was practiced⁵⁹

The memorandum submitted from time to time to the govt. by the tenants bear witnesses of the fact that rents were being increased not only in the estates mentioned above but also in other parganas of the Permanently Settled tract. As had been stated in the Assam District Gazetteers, that "within the recent years rent of the tenants in Karaibari and Gauripur has been enhanced by about 24 percent"⁶⁰. Lain A.J, who was placed on special duty to enquire into the defects of the rent Laws in the Permanently Settled area and submit suggestions for its amendment ,mentioned in his Report that rent was enhanced three times within a period of seventeenth years in Karaibari.⁶¹

In a speech in the Assembly debate, Maulavi Abdul Majid Ziaosshah while referring to enhancement of rent in Goalpara said, "in cases I have found that when the original rent was Rs. 10/, the rental has been enhanced to Rs. 30/-"⁶². As per the provision VIII of the Act of 1869, a zamindar could enhance any rent by issuing 6 month notice and the tenants on whom such notice was served could contest their liability to pay the enhanced demand.⁶³ In practices, these provisions of law were

not followed, enhancement being secured by private negotiation between the parties concerned.

It was the enhancement of rent, which generated grievances of the Jotedars. However, the burden of enhancement was to be borne by under tenants. Taking the plea of zamindari enhancement of rent, the jotedars enhanced the rent on the under tenants. Eventually, the enhancement of the jotedars was much higher than that of the zamindars.

Another important ground of the grievances of the ryots was the non-reorganisation of their occupancy right and frequent eviction from their holding. There was no Tenancy Law, which could provide relief to the ryots. All the rights which accrued to the ryots under the act VIII of 1869 well absorbed by the jotedars and there were instances, where cultivators having holding rights for 30 years or more were evicted by the zamindars and there was no scope for redressal of such kind of harassment. The average *Chuknidar* was considered by the zamindars under which he held land as a tenant at will, even though he might expend labour and capital necessary for its original reclamation and subsequent improvement, he seldom possessed patta. The rent was treated as summarily enhanceable at an uncertain rate.⁶⁴

Thus, the position of chuknidar or the actual cultivators of the land, under zamindars in Goalpara were pathetic. The influx of the enormous immigrant settlers from Northern and Eastern Bengal brought about a new state of things. It had rapidly raised the value of the land and a rise in rent in consequence. The increasing demand of land had created a desire on the part of both zamindars and intermediary to take every advantage of the situation to take as much as possible out of the competing race of the new comers.

Reacting to the immigration problem of Goalpara district, Babu Mahendra Chandra De, the then E.A.C, pointed out in his note that the total population of the district in 1891 was 452,773; 462052 in 1901, and 600643 in 1911. The rapid increase of population during that period was due to immigrant settlers, the "Bhatias" as they were called in Goalpara district. During that decade, in South Salmara P.S alone including Mankachar out post, the increase in population was over 70%, Lakhipur area had a 61.81 percent increase. This large population was attracted by the presence of the char land of the Brahmaputra riverine tracts. The jotedars having jote in that tract of the district put these up to auction to the highest bidder. Naturally, those who could afford to pay heavy salami, in addition to rent, were allowed to take up land in detriment to the interest of those who were already in possession but were unable to satisfy the rapacity of these zamindars.⁶⁵ The immigrants were land hungry peasants, of whom 85% were Muslim.⁶⁶ The immigrants settled mainly in waste land and *Char elaka* (riverine). They were hard working, made excellent cultivation. According to the Census of 1911, there were 51000, such immigrants in Goalpara district and 3000 in rest of Assam. In 1921 Census their number rose to 153,000.⁶⁷ the indigenous people were pushed out by the Bhatia tenants. As stated in the official note, "owing to the pressure of the unruly Bhatia, who were accustomed to take law into their hands and to fight with spear and other weapons in order to secure what they want. Knowing as they do that the people of the country were legally defenseless as they were not protected in any way as to the security of their holding by Act VIII of 1869, they will do all to oust them."⁶⁸ One such case was the riot which occurred in Kaldangar char, within the jurisdiction of Lakhipur Thana, between the rival bands of new comers and old tenants under two rival jotedars of Mechpara Estate.⁶⁹ In

all the estates the immigrants entered by paying high salami occupied land under the jotedars ousting the local cultivators.

The zamindars resorted to multiple oppression in the matter of ruling the ryots of which the *club law* was common. They caused distress to the ryots by club law. The estate servants took the law into their own hands and resorted to club law. They tyrannically handled the ryots in case of any refusal on the part of the ryots in payment of the revised rate of rent. In Bijni Estate one Jogendra Nath Bhattacharjee, an employ .of the Estate who was in charge of cashbook, had been posted to Baitamari Cachari for collection of rent. A band of 6-7, clubman had been sent to that place before he came there in a *Palanquin*. He caused one Amrit Kanta Kalita to be seized who refused to pay the rent at revised rate, and had struck him with stick. Because of, grievously hurt Amrit died shortly after. Though he was arrested on the charge of murder, later on acquitted due to support of the Raja.⁷⁰

Thus, as a result of the Permanent Settlement, the ryots of the Estates in Goalpara were subjected to extortion by the zamindars. The ryots had neither hereditary nor permanent right on the land they held. It had caused a reversal in the position of the ryots in the status he enjoyed as a peasant in the pre-colonial rule. Whether state was the owner of the land or not but, the land belonged to the peasants. So long he paid his share of revenue he was not dispossessed of the land he held. But, as a result of Permanent Settlement the ryots became the tenants of the landlords instead of owner of land. They even lost their occupancy right. They were reduced to tenants at will. This state of affairs gave birth of unrest among the ryots and a series of agrarian protests were raised against the land lords in the subsequent years.

In the absence of Tenancy Law, the relation between the zamindars and the tenants of Goalpara district in Western Assam remained unsatisfactory. The rent law of 1869 of Bengal, which was in force in Goalpara from 1892, considered ineffective. The problems regarding rent enhancement and oppression of the landlords went to such an extent that the ryots had no alternative but to submit allegation to the Government and even they resorted to local agitation. Infact, it differed from place to place even on some vital issues, within the same zamindari, as was the case of Bijni Estate.⁷¹ Commenting on zamindar's tenants relation Amalendu Guha observes that the Nineteenth Century was remarkable for the zamindary tenants conflict in Goalpara.

We find many instances of the conflict between zamindars ryots in Western Assam on the issues of enhancement of rent revenue, eviction from holding and zamindary oppression on the ryots. The tenants, some times, were bound to submit memorandum to the Government against the zamindar's oppressions.

In 1851, the *praja* of Ghurla pargana under Gauripur zamindar protested against the zamindar on matter of revenue settlement. The trouble occurred when the tenants of Ghurla pargana of Gauripur Raj Estate offered stiff opposition to the survey for fixation of revenue. Raja Pratap Chandra Baruah, of Rangamati, commissioned Ananda Ram Dhekial Phukan, who was appointed temporarily the Sub Assistant of Goalpara, to enquire into the affairs that were going on in Ghurla. Ananda Ram went to Kaltara, the place of occurrence of the rebellion, and instituted the enquiry.⁷²

“It may be noted that the zamindars, who were the sole owner of land, were at liberty in respect of survey, settlement, assessment and collection of rent subject to enhancement. The tenants in general and

under tenants in particular had no permanent, heritable, and transferable right in land under their possession and therefore, they were treated as tenants at will. In matters of collection of rent falling in arrears repressive and coercive measures were resorted to, such as arrest and detention, though such cases were stated few in number. It should be mentioned that enhancement of rent was the inherent characteristic of the zamindari administration. And whenever there was an attempt on the part of the zamindars to impose a new rent or old ones were increased, the tenants combined together to stop the payments, which led to agrarian trouble in Goalpara.⁷³ In his report on the district of Goalpara A.J.M. Mill, mentions the quarrel had been going on in Bijni between Zamindars and the ryots since 1823, in the pargana of Habraghat.^{73a} The quarrel started when the new land revenue was imposed on the land other than the Sali land, which were opposed by the tenants. David Scott took up the matter and started new settlement after conducting proper survey. He concluded settlement only on the *Saliland*, before completing the whole process, he was away to take the charge of Commissioner of Assam. The ryots took the advantages of the state of things and set up a claim to hold all types of lands free of rent other than *Sali producing one*.

The reason of conflict, according to Gunaviram Barua, between zamindars and ryots in Bijni Estate was the half hearted land settlement, as consequences of which most of the ryots occupied lands in excess of land for which they paid rent. Further, a sizable section of the ryots kept pending the payment of rent for year together. Whenever, the zamindars attempted to start resettlement, the ryots got themselves together to oppose them.

Ananda Ram Dhekial Phukan attempted to solve the existing problem, after assuming the charge of the Dewan of Bijni in 1849, framed

a set of regulations which were called “Phukan Hakimer Kaiddabandi”. He proposed amongst other things, to undertake a survey for the settlement of land in Bijni Estate and to apply the law of recovery for arrears of rent. This added fresh fuel to the fire. Though, both the parties agreed to retain ‘*Gujesthan*’ or earlier system without having clear conception over it, but, the Knot was continuing for several years. The matter referred to the Board of Revenue at Calcutta, which heard both the parties. Ananda Ram was sent to Calcutta to pursue the Board on behalf of the zamindars while Dewan Prem Narayan attended on behalf of the ryots.⁷⁴

In reference to the problem of Habraghat, A.J.M.Mill, writes in his report, “The Habraghat ryots under the evil influence of a designing person, called prem Narayan, are leagued together against their superior, the Bijni zamindar and will not come to an adjustment of their rent. The quarrel has been going on since 1823, and has caused not only great trouble but has led to violence and blood shed, and kept the whole country in a state of fermentation”.⁷⁵

The Board could not settle the Habraghat problem and it ultimately suggested for settling the problem by making an adjustment among the belligerents. Accordingly, the collector of Goalpara, Agnew took the initiative to call a tripartite conference. In May 1852, the conference was held but it was ended without any success. Again, in the same year the second conference in Dolgoma was held but yielded no result.⁷⁶

During the conflict of two queens of Bijni Estate, after suicide of Raja Kumud Narayan, the agitation of the *praja* took a very serious turn. Jivan Ram Phukan, the chief advisor of *bara* (elder) Rani Sidheswari fired in the air by his gun to disperse the mob assembled in Jogighopa. The agitating peasants were so discontented on *Bar Rani* that they

proclaimed one Chandra Narayan as Raja of Bijni. This incident is called “*Bar Patgirir Hangama*”. In this agitation Phukan was attempted on life by one of the agitators but he narrowly escaped his death at the cost of the life of one barkandaz, who was on duty.⁷⁷ Although, there was cessation of the acts of violence on the accession of the *Chota Rani*, Abheswari to the Gaddi of Bijni, agitation continued in organized form withholding the payment of rent, particularly in Habraghat and Baitamari.

Similarly, in Karaibari Estate the relation between the zamindar and the ryots was far from satisfactory. The hereditary chief of the pargana, Mahendra Narayan was dispossessed and the new Zamindar, Ram Chandra Lahiri could not maintain good relation with the ryots. He used to reside at Rangpur and his officials entrusted with the power to look after zamindari administration. The representatives of zamindar, often resorted to coercive and oppressive measures to exact more and more rent from the ryots, causing wide discontentment in the mind of the ryots.⁷⁸

The position of the Parbatjoar Estate and Mechpara Estates was no better than that of the other Estates. Family quarrels, which were rampant in these two Estates, ruined the management of the respective estates. The quarrels among the co-sharers in Parbatjoar Estate were so serious that the Deputy Commissioner sentenced one of them to imprisonment. In Mechpara, family feuds were so acute that it led to the split up of the management to four collecting agencies, which were considered as the engine of oppression.⁷⁹

Towards the second half of the nineteenth century, the relation of the zamindars with their tenants was strained. In 1892, the Bengal Rent Law of 1869 was extended to Goalpara district with a view to controlling the relation between the landlords and the tenants. The mismanagement of the zamindari, corruption of the Estates officials, collection of the

exorbitant *abwabs*, enhancement of rents and curtailment of the customary right of the tenants, enjoyed since the time immemorial were the main issues for conflict between zamindars and the tenants posing hurdles for maintaining good relation between himself and herself. These caused wide discontentment among the tenants, culminating in huge number of disputes between the zamindars and the tenants and the tenants and the under tenants.

The landlord and tenants conflicts, led the tenants to resort to legal action. Many cases were filed in the civil court of Goalpara and Dhubri. Not all disputes were plaed before to the court. Some of the disputes were settled by executive order, while others, referred to the courts. The number of civil litigations was increased in the beginning of twentieth century. Within a period of ten years, from 1907 to 1917, as many as 5,782 rent suits were instituted in Dhubri and Goalpara courts.⁸⁰

In Bengal, the Land law of 1869 was repealed and a more comprehensive Tenancy law was enacted in 1885. Being oppressed at the hand of the zamindars, the tenants of Goalpara influenced by the tenancy measures of Bengal looked for a better tenancy law for Goalpara district. Unfortunately, the government did not pay any attention to it. The zamindars were left free to manage the administration of their respective Estates according to their will. Enhancement of rent and *Abwabs* were the order of the day. Thus, ryots started agitation for redressing their grievances, especially for a rent law right from the beginning of twentieth century. The problems faced by the ryots were not identical in all estates. They combined locally as circumstances demanded so. The petitions and memorandum submitted to the government from time to time contained the grievances of the ryots against their land lords.⁸¹

The enforcement of Bengal Occupancy Act of 1869 in Goalpara district did not satisfy the jotedars and the tenants. After 1892, based on the act, the occupancy right of jotedars and tenants was recognized on the basis of their holding but due to lack of proper agreement, these rights were not confirmed. Besides, the jotedars were deprived of their transferable right of their jotes.

The *Jotedars* and the tenants of Goalpara demanded the enactment of proper Tenancy Law so that the traditional occupancy right be preserved and extended, the limit of the enhancement of the rent is fixed and illegal tax collection be stopped. The demand of the ryots was supported by most of the members of legislative council of Assam. Manik Chandra Barua, in this context demanded the extension of Bengal Occupancy Act of 1903 to Assam.⁸²

As stated earlier the discontented ryots submitted memorandum seeking redressal of their grievances. In 1905, the praja of Bijni Estate filed petition to the government against the oppression of Bijni Raja. In the same year, the ryots of Mechpara also submitted allegation against their landlord for illegal enhancement of rent. The ryots of Chapar estate expressed their discontentment over the settlement of Bhatias on the char land.

In 1913-14, five petitions submitted against the Zamindar of Gauripur. In 1912, under the leadership of Basuram Patgiri and Madhuram Das a group of tenants under Bijni Raj submitted petition to the government. Another agitation started in Parbatjoar Estate under Kalicharan Brahma. Their demands were 1). preparation of the record of tenancy right; 2) to declare perpetuity of the tenancy right; 3) framing rule for the enhancement of the rent. The "Times of Assam" published

editorial on the memorandum submitted by the praja of Bijni Estate in November, 1915.⁸³

As to the complaints, an enquiry was instituted early. The gist of the enquiry was "the raiyats had not much complained except that of the rent receipts granted to them which was vague and opened the door to abuses".⁸⁴

It should be noted that the tenants agitation in Goalpara during the period under review were widespread. Added to it was the agitation of Garos, who, under the leadership of Sonaram Sangma, rose against the opposition of Bijni Raj.⁸⁵

Though the agitating tenants, failed to be organized in a single body in the district level, they succeeded to draw the attention of the local press as well as the intelligentsia to their plight. In the wake of the Non Co-Operation movement, some tenants of Goalpara combined themselves together to refuse to pay their rents to the landlords. The tenants of Ghurla pargana of Gauripur Raj Estate, stopped payment of land revenue to the Raja in 1921, until an amicable settlement reached over the issue of the disputed rent enhancement.⁸⁶

The combination of tenant's agitations and the freedom movement compelled the Assam government to reconsider the situation in Goalpara and prepared a draft of rent law suitable for that district. But the measure was dropped due to the opposition of the zamindars.^{86a} ultimately; the Goalpara Tenancy Act of 1929 was passed by the government, which was the out put of the agitation of the tenants of Goalpara. The Goalpara Tenancy Act provided the occupancy right to the ryots who held land for twelve years or more. But the *Adhiars* were left on the same footing as they were before. There was no organization in Goalpara district to do spadework for redressing the grievances of the *Adhiar*.

2.5. Abolition of Zamindari system in Western Assam

However, by conceding to the demand of the ryots, the Assam Government passed the Goalpara Tenancy Act, 1929, by which the tenants secured the occupancy rights; it failed to solve the agrarian problems of Goalpara district. While the occupancy right of the tenants, who held land for twelve years or more, was recognized, the Act was silent about the right of the Adhiars. Though the eviction of the tenants was checked, the problems of the *Adhiar* demand for the reduction of the land revenue, and oppression of Zamindars and Mahajan failed to establish peace between the tenants and the Zamindars in one hand and the tenants and the Government on the other.

There was no *Krishak* organization in Goalpara as well as in Assam to do spade work for redressing the grievances of the peasants, especially the grievances of the Adhiar of Goalpara. As a result, the discontentment of the peasants of Goalpara against their land lords was still in roll. The *Krishak Sabha* of Bengal, which was advocating for the interest of the peasants, infact, encouraged, the intelligentsia of Assam to form such an organization and work for the interest of the peasantry. As a result, the first *Krishak Sabha*, an organization of the peasants, was organized in Assam, which was called, "*The Halowa Sangha*". The Congress workers of Assam formed this in 1935, in Golaghat. The name was changed to "*Golaghat Krishak Sabha*" in 1938 under initiative of Jadunath Saikia. In its third meeting in Kamargaon on 14th October, 1939, the conference urged upon the peasants to assemble under the Congress banner and demanded 50% reduction of land revenue.⁸⁷

Reference of Goalpara *Krishak Sabha* is found in the Assembly Proceeding in 1926, but no details of that are available. In the proceeding of 1933 reference was also made to the demand of the president of

Goalpara Krishak Sabha. Detail sources are available of the Krishak organization of Goalpara, formed in 1935 under leadership Jogendranath, Ripunja Singha, Gauri Pandit, Abaruddin and Fatik Chandra Das, which was a co organization of the Congress, are available.⁸⁸

While the landlords-Tenants conflict dominated peasant's agitation of Sylhet, it was the state and the peasantry, as a whole, that moved the peasant masses of Bhahmaputra valley. The peasants of Assam demanded 50% reduction of the land revenue. The demand echoed and re echoed in hundreds of Congress meetings and Ryot Sabhas till the advent of World War II. In 1935, the local Congress workers formed the Goalpara Krisak Samiti. On 29th November, 1939 the Nikhil Goalpara Krishak Samiti Presented an address to Pandit Jawaharlal Nehru, who was at Goalpara to draw his attention to some of the local problems including the absence of Tenancy Act. The Samiti claimed to have a membership of one lac, spread over several branches.⁸⁹

The Goalpara *Krishak Sabha* led the agitation of the peasants in Goalpara against the oppression of the zamindars and the Mahajan. It tried to organize the peasants under the banner of Congress. With the support of the Goalpara Krishak Samiti one Parmananda Das elected to Assam Assembly defeating Mechpara Zamindar.⁹⁰ The Krishak Samiti infused with new ideology led the people against the British imperialism as well as against Land lord's oppression in Goalpara.

Emergence of Abdul Hamid Bhasani added a new dimension to the anti Zamindary agitation of the district of Goalpara. He came to Goalpara from Pabna of East Bengal in third decade of Twentieth century and halted for a few days in a *Char* called later on *Bhasanir Char*, as a mark of respect to him. The Local people acknowledged him as the Peer. He shifted to Ghagmari, to the south bank of Bhahmaputra, where he

founded his residence and lived till to his return to East Pakistan. He was popularly called the Bhasani Maulana. He organized the immigrant peasants settling in different *Chars* of Goalpara and inspired them against the oppression of the Zamindari rule.⁹¹ He was not only the champion of the interest of the immigrant Muslim, but in practice he was such a peasant leader who advocated for the interest of the oppressed class of people irrespective of their caste and creeds. Hamid Khan Bhasani joined hands with the leader of Communist Party, Nandeswar Talukdar, Praneswar Nisswa, Viswanath Mukharjee and others and worked together for the interest of the peasants, though he did not belong to that party.

The *Krishak Andalan* (Peasants Movement) in Char land was started under his guidance in 1928 in Goalpara which took the shape of Gana Andalan (Mass movt.) in Goalpara, Dhubri, and Gauripur and in some other places. The object of the agitation was not to abolish the Zamindari system but to redress the Zamindari oppression and to acquire the occupancy right for the tenants and the under tenants.⁹² It was during the Second World War that the Communist party raised the demand of the abolition of Zamindari rule in Goalpara.⁹³ Maulana Bhasani became so popular in Goalpara that he was elected to Assam Assembly Council as an independent candidate in 1937. He introduced a Bill in the House for the amendment of Goalpara Tenancy Act, 1929, but due to the opposition of other members, it was dropped.

At his initiative, the Goalpara District Praja Conference was held in Ghagmari in December, 1940, with Nazi Ahmed being the president of the conference. It condemned those legislators who opposed the Goalpara Tenancy Act amendment Bill in the Assembly. Resolutions were adopted in the Conference for reduction of the rent, suitable rules for Debt Rebating Board and introduction of Bengali for the Bengali students. Due

to his ceaseless efforts the Amendment of Goalpara Tenancy Act, 1929 was passed in 1943 by the Assembly.⁹⁴

There was no demand of abolition of the Zamindari system in Goalpara till the outbreak of World War II. It was during the fourth decade of twentieth century that the peasants of Goalpara raised the demand for the abolition of the zamindari system. At that time the farmer's main demand was to abolish the Zamindari system to be relieved of the Zamindari oppression and harassment. Indeed, this demand was first raised by the under ground Communist League. The under ground Communist held a conference at Guwahati on 20th May, 1940 and formed the "*Krishak Banua Panchayat*" and advocated for the interest of the peasants and the labour.

In 1940 the fifth Session of Goalpara Krishak Sanmilan was held in Salkosa under Goalpara district. Swami Sahajananda, the president of All India Krishak Sabha, presided over that conference of Goalpara Krishak Sanmilan, which awakened the peasants of the district about their right and also boosted them for their emancipation from the Zamindari harassment. The peasants, infused by a new ideology started their agitation for the end of the Zamindari regime in a well-organized manner. In 1947, Krishak Sanmilan of Goalpara was held at Bilasipara with Gaurisankar on the chair. In this conference, resolution was adopted for immediate redressal of *Adhjar* problem. Owing to the pressure of the Goalpara Krishak Sanmilan, united agitation of poor Tenants and the *Adhjar*s and the Common workers of Assam, the Government of Assam passed the "*Assam Adhjar Protection and Regulation Act, 1948*". But the Act did not provide any benefit to the poor *Adhjar*, which, indeed, profited the rich peasants.⁹⁵

It is to be noted that in spite of the prolonged agitation of the peasants for the abolition of the Zamindari system in Goalpara, instigated by the Communist workers and the *Goalpara Krishak Sanmilan*, the Government was reluctant to do so, because of the loyalty of the Zamindars to the British Colonial Government in India. During the Colonial rule the semi feudal institution, the Zamindari system was retained for the interest of the British Imperialism. None can deny that the Zamindars of Goalpara in Western Assam acted as the ally to the British until the end of the British rule in India. This can be evinced by the tune of the expression in the memorandum, submitted to His Excellency, Lord Chelmsford, Viceroy of India at Amingaon, by the Zamindars of Goalpara in 1920. It expressed, "It is with humble pride that we respectfully assure your Excellency that the instinct of loyalty is a part of our nature. We have always done our best to co-operate with the Government in every direction in which our humble services have been sought".⁹⁶ It is to be mentioned that while the struggle for Freedom was gaining strength, the president of the All India Land Lords Conference, of which the Zamindars of Goalpara were members, in his presidential address he declared that, "if we are to exist as a class, then, it is our duty to strengthen the hands of the Government".⁹⁷

The Zamindari system had out lived its usefulness. The Bengal Land Revenue Commissioner, came to the conclusion, that, "this system is no longer suitable to the conditions of the present time and that it has developed so many defects that it has ceased to serve any national interest." But the system of lordism was carried on to its final absurdity. The system survived so long as the British were in power in India. The Estates were functioning under their respective management, even after India achieved Independence, though there was constant demand of its

abolition. Finally the Government of Assam passed the long expected, "Assam State Acquisition of Zamindaries Act, 1951."⁹⁸ This Act aims at abolition of the Zamindaries in the permanently settled portion of the district of Goalpara, and Garohills and the Karimganj subdivision of Cachar district. The Act also extends to the Lakhraj Estates within the boundaries of the permanently settled estates and the acknowledged estates in the Bijni and Sidli Duars of Goalpara district, settled with the Rajas of Bijni and Sidli. This Act has been enacted with a view to removing the intermediaries and bringing the tenants directly under the state and thus to give them better rights on their land. The Act was subsequently amended in 1953, 1954 and 1955 for removing certain difficulties in the implementation of it. Accordingly, under the Act, the Government has acquired the rights and interest of the proprietors and tenure holders in the Permanently Settle Estates. Thus, Gauripur and Karaibari Estates were acquired on 14 April 1957; Bijni, Parbatjoar, Chapar and Mechpara Estates were acquired on 4 April 1956. Immediately after acquisition of Zamindaries all lands and interest were vested with the Government and came under General Regulation of Land Laws applicable in other temporarily settled areas and districts.⁹⁹

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