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Impact of Rajendra Prasad On The Agrarian Crisis in Bihar During 1937-1934

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Abstract

Rajendra Prasad was seen with great expectation by both Kisan Sabha and Congress members and the zamindars to monitor the pending legislation and other matters connected with the agrarian question. Though Rajendra Prasad was not personally in the ministry yet the responsibility of assisting them, particularly the Bihar ministry, devolved upon him. They sought his advice on all the important matters of policy. The manner, in which he guided the Bihar ministry in carrying out its land legislation, was typical of his consensual approach and method of working. The zamindars did not agree to settle the land for tilling with the tenants, which they had purchased in auctions in execution of court decrees for the realization of rent arrears. The zamindars either cultivated such land themselves or let it lie fallow. They did it because under the law even a temporary settlement would have meant accrual of right of tenancy of which the kisan could not be deprived. In Orissa, the Bill could not be passed at all, while in Madras, before the Government could take action on a report submitted by an enquiry committee, it was out of office and the report was shelved. In Bengal, the non-Congress Ministry appointed a special committee which prepared a report but no action was ever taken on it.

Keywords: Kisan Enquiry Committee, Tenancy Bill, Bakhast legislation, Bihar Tenancy (Amendment) Act, Congress-zamindar Pact

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Rajendra Prasad first requested Nehru to intervene on behalf of AICC for coming up with suitable legislation as solution to the conflict between the Kisan Sabha and representative zamindars. At Calcutta some landlords of Bihar met Prasad there and wanted to intervene and bring about a settlement of the agrarian question, after which he spoke to Maulana Azad and discussed the matter. Prasad also requested Maulana to come to Patna and discuss in detail the pending legislation and other matters connected with the agrarian question. He had prolonged discussions with Congress workers, who were interested in either the Kisan Sabha and representative zamindars. As a result of these discussions arrived at certain conclusions which were considered to be reasonable, and which could had been enforced by legislation.¹

During the period of constitutional deadlock, which continued for three months, Rajendra Prasad decided to engage himself in carrying out constructive activities and disseminating Congress point of view to the masses at large. The Bihar Provincial Congress Committee organized celebration of National Week from 6th to 13th April 1937 in various places of Bihar. It was marked by sale of khadi, enrolment of Congress volunteers and holding of meetings. In the first week of May 1937 Rajendra Prasad addressed the Gaya District Political Conference, which was held Gaya where he largely concerned himself with dealing with the constitutional issues the Congress was engaged with. This political conference also adopted one very important resolution recommending the abolition of Zamindari, which until now the Congress had not taken up in its program. Rajendra Prasad also visited Champaran and addressed there the Champaran District Political Conference, where one very fascinating thing happened. On his exhortation, some people decided to devote themselves to further the constructive program of the Congress. Earlier in Bihar, the Governor called Muhammad Yunus, the elected leader of the independent Muslim Party's legislature group and the latter formed an interim ministry, which was "just a farce", in the words of Rajendra Prasad, "to show people that the constitution was being worked". On the day, the Yunus ministry was sworn in, hostile demonstrations, led by Jayprakash Narayan, were held in Patna. Jayprakash Narayan was arrested and sentenced to imprisonment but was released

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by Yunus before the completion of the term. The Government dreams of breaking the Congress, however, did not materialize with swearing in of this puppet ministry. However, Yunus tried to play his cards but he did not succeed in his efforts to persuade even a single Congressman to walk in to his cabinet. In the words of Rajendra Prasad: Yunus offered one seat in his cabinet to a Harijan member of the Assembly, Jagjivan Ram. He even took him to the Governor for talks. Among these, there was person, Ram Lakhan Singh from Chatauna (Darbhanga), who was an old nationalist worker. He had been deeply influenced by Mahatma Gandhi ever since his visit in 1920. Now under the influence of Rajendra Prasad, he was impressed so much that he decided to establish a Gram Seva Ashram at Angarghat, east of Samastipur, which became an important centre of constructive activities. Rajendra Prasad wanted the mass contact program of Congress to be taken up by the people. Accordingly, a National Educational Conference was organized at the Sadaqat Ashram, at Patna from 5th to 7th May 1937. He along with others present there decided to start a number of National Schools, both of the Middle and Secondary standards, under the auspices of Bihar Vidyapith. Though Rajendra Prasad was not personally in the ministry yet the responsibility of assisting them, particularly the Bihar ministry, devolved upon him. They sought his advice on all the important matters of policy. The manner, in which he guided the Bihar ministry in carrying out its land legislation, was typical of his consensual approach and method of working. The Bihar ministry, though constrained by various factors, carried out several measures for the amelioration of the suffering masses. It repatriated the political prisoners from Andaman Nicobar Islands to Hazaribagh central jail. 30 January 1938 was observed as political prisoners' day and demanded the release of all political prisoners. Subsequently on the refusal of the Governor to release the political prisoners, the Bihar ministry tendered its resignation on 26 February 1938. The Haripura Session of the Congress, held between 19 and 21 February 1938, approved the action of the Bihar ministry. The ministry withdrew its resignation on 26 February only after the Governor had yielded to its demand of releasing the political prisoners. The government finally released the political prisoners by 12 March 1938 and this in turn, no doubt, increased the prestige and credibility of the Congress in

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Bihar.² These apart the Bihar ministry undertook other measures like extension of civil liberties, removal of ban from all associations, and lifting restrictions on the Newspapers. Three committees were set up, one to enquire into the causes and extent of corruption in the public service of the province, another to enquire into the administration of the Santhal Parganas, and the third committee to enquire into and report on conditions of life and work of labourers.³ It also started new Wardha Training School at Patna for training of Wardha system of teachers, the mass literacy campaign and additional facilities for the training of woman teachers. It further encouraged the co-operative movement and the co-operative bank was encouraged to expand its activities in villages. Cottage industries were encouraged in rural areas. It also appointed a Labour Enquiry Commission with Rajendra Prasad as chairman and Abdul Bari, Radha Kamal Mukherjee, Jagat Narayan Lal and H,B, Chandra as members and R.K. Saran as Secretary on 17 March 1938.

Agrarian Legislation was one of the most important measures the Bihar ministry undertook was the legislation of Bihar Tenancy (Amendment) Act, which sought to provide relief to the tenants of Bihar from the hardships they had to bear under an iniquitous system of land tenure. Rajendra Prasad played a very crucial role in enactment of this legislation. He was convinced from the very beginning that the tenure of the ministries may not prolong for a long time and hence whatever had to be done should be undertaken on an urgent basis. He, therefore, laid stress on the necessity of working out an amicable settlement between the representatives of the Zamindars and those of the Kisans: When the Congress took over the reigns knowing that tenancy reform was bound to come and thinking that it would be better to have the question settled amicably, zamindars representatives, on their own initiative, approached the Ministry and offered their help and cooperation in instituting tenancy laws to ameliorate the lot of the kisans and suggested negotiations.⁴ With the overwhelming strength of the Congress in the Assembly, it was beyond the power of the zamindars to prevent on ameliorative measure but they could certainly resort to dilatory tactics and delayed the successful operation of the Act. Rajendra

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Prasad was also aware about the other constraints that might hinder the proposed agrarian legislation. Landlords, being rich and resourceful, were capable of organizing themselves against any legislation by the Congress ministry. On the other hand, the cultivators were incapable of any joint and concerted action on their behalf. Rajendra Prasad had expressed his apprehensions in his letter to Jawaharlal Nehru.⁵ However the best course would have been, he thought, that the Kisans and the Zamindars themselves would have settled the matter: Though we understood the problems of the kisans, who had always supported the Congress and reposed faith in it, and wanted to help in their solution, we would have liked it better if the kisans and zamindars had agreed to meet and decide for themselves. Rajendra Prasad was highly sympathetic towards kisans and was very concerned to protect their interests. He also wanted to keep their awakening alive so that Congress was not weakened and they were saved from any possible repression, which might have been let loose in the eventuality of no settlement being made. The Zamindars, on their part, were also not free from apprehensions regarding the proposed tenancy legislation. They had viewed it with serious doubts and had not much confidence regarding the intentions of the Congress ministry.⁶ Congress leaders had started holding meetings of representatives of different classes. In one such meeting at Samiya, which was attended by the representatives of landlords and big kastkars of the locality, Congressmen and kisan Sabhaites and the local Congress leaders tried to impress upon them that the view points of the Congress ministry was "entirely based upon the policy of general good of the province." They also declared that the Congress "had no ill will and hatred against zamindars and big kastkars". They further advised the zamindars to "win the confidence of the tenants" and take measures to "ameliorate the conditions of the peasantry" Rajendra Prasad was confident, that the zamindars too would become sympathetic to the tenants' demands despite their suspicions and reservations against the Congress ministry. Not interested in tussle with the peasantry or the Congress they favored the idea of a satisfactory reconciliation of the agrarian problem of Bihar. The Central Zamindars Association, in a letter addressed to Rajendra Prasad, wrote that they were anxious to remove the real grievances of the tenants if there were any and to do their best for improving the condition of

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the agriculturists and the agriculture. In the same letter they complained also drew his attention towards behavior of many responsible persons of the Congress Committee delivering inflammatory and irresponsible speeches in the kisan meetings and in the meetings organized by the Congress.⁷ To reduce unnecessary troubles and settle the agrarian issue amicably the Zamindars agreed for mediation by Rajendra Prasad in the entire matter. Rajendra Prasad wastold by Sri Babu (Sri Krishna Sinha) that if the loot stopped it was possible to arrange with the landlords to settle the lands with the tenants as used to be done before, i.e. without occupancy right and perhaps to some other concessions. Zamindars' party, united party, inspired by the Governor of Bihar during 1933-34, itself had shown its concern for the tenants.⁸ In the negotiations with the Zamindars and the Kisans, Rajendra Prasad stated very explicitly before the representatives of the zamindars that the Congress was "not negotiating on behalf of the kisans" and that they "would be free to accept whatever concessions we secured for them". He also emphasized that the kisans were free to agitate later on "for whatever else they considered necessary". There was no doubt about the fact that Rajendra Prasad had participated in the negotiations as kisan's representative and all through the discussions he put forth the perspective of the Congress, which was an organization consisting of not only peasants. The "Congress-Zamindar agreement" of 1937-38 was denounced as a compromise with the big landlords by the Kisan Sabha, yet it appeared highly unlikely that this "Congress-Zamindar Pact" was reached for purposes other than providing quick legislation and amelioration to the suffering peasantry. Anugrah Narayan Sinha was also a zamindar of some substance and according to Sahajanand he experienced difficulties in convincing the Kisans at the time voting to the Central Legislature in 1934that he really represented the interests of the Kisans.⁹ Rajendra Prasad had made it clear to the representatives of the zamindars that he had been dismayed at the lack of cooperation the landlords had afforded to the Kisan Enquiry Committee, but this would not deter the Congress from seeking cooperation again. Throughout the negotiations, he was convinced that both parties would have to climb down to arrive at a settlement and that the Congress should act only as neutral party in the negotiations. It is important to be not oblivious of the fact that there were

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other aspects as well to this issue, which for all intents and purposes related to the nature of the contemporary colonial and hegemonic state as well as the objectives of the party in the governance. The state was typically colonial and it lacked concerns for welfare measures for the deprived ones. It had always been willing to align with and to extend support to reactionary and backward looking sections and classes of Indian society. Secondly, the party in the government i.e. the Congress was not a class party, party.¹⁰ However the Kisan Sabha saw it as a compromise with the big landlords and a betrayal of peasant interests.¹¹ It, therefore, could not have afforded to carry out and enforce a radical agrarian reforms programme, which could have satisfied the peasantry fully. Thirdly, the Congress had also one major objective of furthering the freedom-struggle by involving larger and larger sections of society. Rajendra Prasad was never oblivious of these objective realities. He remained fully aware of the fact that the tenure of the ministries in the saddle of the governance was not enduring and that they might have to resign any time to show that the constitutional arrangements under 1935 Act were not workable. In the negotiations, four major issues had figured out. The first related to the reduction of rent payable by the tenants; The issue was intricate because amounts of rent assessed varied from area to area. In some cases, even the mode of payment had also been changed from kind to cash. Rajendra Prasad's concern for everyone being fairly treated made him drop "the idea of a uniform rent reduction" and opt for "a formula by which relief was provided to areas where rent had gone up very high and left out areas where relief was not called for". The second issue to figure was the kisan's right to transfer his land. While the kisan's representatives demanded the full right of transfer, the zamindars opposed it saying that the land actually belonged to them. The zamindars' representatives contended that the land had actually been given to the kisans only to cultivate and that the kisan could sell or transfer his holding only if the landlords permitted it. But the kisans were "keen on getting the right of transfer" which the zamindars had themselves conceded in the earlier Tenancy Amendment Act on condition of being given "salami" The zamindars agreed to this and the significant gain for the kisans was that the amount of Salami was reduced. The third issue that figured at the negotiations was relating to the arrears of rent. Under the existing law,

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the zamindars had the power to eject a tenant for non-payment of arrears, through a court decree and to have auctioned the entire of his holdings. The tenants had serious complaints that the landlords had been resorting to this provision to the sell the entire holding, even for small arrears. However, the zamindars held that ejection was "a common remedy" resorted to by them in case of non-payment of rent and asserted that it would be "impossible" to realize dues without that. The fourth issue to figure between the talks and get successfully resolved was the system of rent in kind. There were two different crop-sharing systems, baoli-batai and dana-bandi, under which the zamindars generally took a fifty per cent share of the zamindars' representatives cited the example of United Province where it was a common practice. The system had become hateful and quite unpopular with the peasantry, leading to lots of resentment because the Zamindars invariably forced them to part with more than what was due to them. In this case, the Zamindars agreed not only to reduce the cash-rent but also the amount of their share crop. All these issues as discussed above formed the essential and significant features of the Bihar Tenancy (Amendment) Act. The Zamindars had a meeting at Patna on 13 September 1937 where they even thought of civil disobedience and passive resistance. Letter from the Magistrate of Patna to the Commissioner, Patna Division, 26 September 1937. The committee assured the Zamindars that the purpose of the enquiry was not to annihilate the Zamindars but if they did not pay heed to the grievances of the tenants, they must treat their days numbered. Nevertheless, the Zamindars were not very forthcoming to co-operate with the committee. When the Kisan Enquiry Committee was appointed letters were sent to the Bihar Landlords Association and other organisations which were known to the Congress and also to large number of individual Zamindars to cooperate with the committee and to help it in finding a solution of the many problems confronting the kisan and the zamindars. Unfortunately letters were not even acknowledged, not to speak of co-operation on the part of the zamindars.¹² Khan Bahadur Mohammad Ismail's reply to the Committee sums up the attitude of the landlords. He replied that the Congress Enquiry Committee was nothing but a department of the Kisan Sabha and that the Committee was meant to create trouble for landlords and that it did not represent the public.¹³

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The Committee was set up in 1936 by the Congress with Rajendra Prasad; A.N. Sinha, and S.K. Sinha as members but in Landholders conference held in 1938, the Maharajadhiraj of Darbhanga stated, that the Zamindars had been watching with deep concern the onslaught being made on the landlords in every part of the country, they had even plans of strongly opposing "reactionaries" and "revolutionaries." He subsequently advocated for strengthening the hands of the government and to do their best to cooperate with those who have made no secret of their disapproval of the violent and revolutionary methods. As soon as an agreement between Zamindars and the Kisans had been arrived at, a bill was introduced in the legislative Assembly and it was enacted in to a law before the Congress ministries resigned. The zamindars did not agree to settle the land for tilling with the tenants, which they had purchased in auctions in execution of court decrees for the realization of rent arrears. The zamindars either cultivated such land themselves or let it lie fallow. They did it because under the law even a temporary settlement would have meant accrual of right of tenancy of which the kisan could not be deprived. The report was never officially published. It unearthed material damning to zamindars and hence it was suppressed. While the landlords had succeeded in their demands for speedy disposal of rent suits, power to sell the tenants holdings for arrears, etc., tenants gained in respect of rent reduction. Despite these constraints the measure did provide some succor to some sections of the peasantry. In the district of Patna, Gaya, Shahabad, Munger, etc., the rent settlement operations during 1937-40 affected 25 percent of the population. However only the stronger sections of the peasantry could take advantage of the mechanism provided in the Act. For the weaker tenancy occupants it was an uphill task for him to take advantage of the few measures passed in their favour.¹⁴ Sahajanand noted that the landlords in no way acted as though their prestige and power had been reduced. Even when the Kisans applied for reduction of arrears, the zamindars continued to file rent suits for their arrears and the government did nothing to force the courts to take note of such applications and stay the proceedings. He also noted that though the Congress made exactions of illegal abwabs (taxes), forced labour was not abolished and no machinery was created that could affect the abolition of feudal dues.¹⁵ Even with regard to the Bakhasht legislation, the provisions

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of the legislation failed to meet the pressing demands of the peasants. While the conditions for restoration greatly reduced the amount of land liable to be restored, the inability of the tenants to pay the legal costs and half the auction price further crippled them. It was only through direct action and the settlement of disputes through conciliation committees that some land could be restored in Reora, Barahiya Tal, Darbhanga, etc.¹⁶ They argued that the Congress was a party of landlords or pro landlord elements which was reluctant to take up "social issues" or "class issues". The Congress unit in Bihar never seriously studied the conditions of the tenant, though at the Congress session in the Lucknow the provincial units had been asked to do the same so that the party could formulate an agrarian program. Though BPCC instituted two enquiry Committees its reports were never published.

The Congress-zamindars pact was "betrayal" of tenant's interests to that of Zamindars. S.K. Sinha was a zamindars and a strong advocate of the zamindari system and always tried to deemphasize the landlord tenant issue.¹⁷ The land reform, however, was a solid achievement, which, perhaps, no other province could boast of. In the United Provinces, no similar agreement could be reached with the zamindars and they opposed the Government's proposals at every stage. Although by the time the Congress government resigned, the Tenancy Bill had not been enacted, it was only later that it received the Governor's assent. In Orissa, the Bill could not be passed at all, while in Madras, before the Government could take action on a report submitted by an enquiry committee, it was out of office and the report was shelved by the adviser regime. In Bengal, the non-Congress Ministry appointed a special committee which prepared a report but no action was ever taken on it. The measures undertaken by the Bihar ministry, though limited in nature, gave hope and confidence to the people and the entire country appeared excited about it. The Pressure exerted by the landlord at every stage of the legislation and the acceptance by the Congress of their major demands reduced the credibility as well as usefulness of the legislation in the eyes of the peasantry.¹⁸

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Conclusion

Rajendra Prasad played a very crucial role in enactment of agrarian legislation. Though Rajendra Prasad was not personally in the ministry yet the responsibility of assisting them, particularly the Bihar ministry, devolved upon him. They sought his advice on all the important matters of policy. The manner, in which he guided the Bihar ministry in carrying out its land legislation, was typical of his consensual approach and method of working. The pressure exerted by the landlord at every stage of the legislation and the acceptance by the Congress of their major demands reduced the credibility as well as usefulness of the legislation in the eyes of the peasantry. The measures undertaken by the Bihar ministry, though limited in nature, gave hope and confidence to the people and the entire country appeared excited about it. The zamindars assured Rajendra Prasad that they were anxious to remove the real grievances of the tenants if there were any and to do their best for improving the condition of the agriculturists and the agriculture. Rajendra Prasad was not interested in tussle with the peasantry or the Congress he only favored the idea of a satisfactory reconciliation of the agrarian problem of Bihar.

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