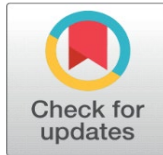
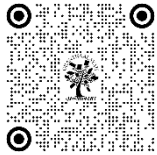


STATE PATRONAGE TO TWO SHAIVITE MATHS OF THE EAST: JANGAMBARI MATH OF BANARAS & MATH AT BODH GAYA

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DOI
[10.29121/shodhkosh.v4.i1.2023.2671](https://doi.org/10.29121/shodhkosh.v4.i1.2023.2671)

Funding: This research received no specific grant from any funding agency in the public, commercial, or not-for-profit sectors.

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ABSTRACT

The paper narrates the story of two prominent Shaiva monasteries who enjoyed madad-i ma' ash grants from the Mughals. One of them was the sole custodian of the famous Mahabodhi Temple. Another became a successful banker for the region apart from their usual activities of imparting specialised knowledge in the Shaiva system. The Mughal grants became institutions and survived the Colonial rule. The institutions struggled and tried to adapt to the new situation and continued their activities. Thus, giving us a glimpse into the functioning and management of medieval Indian institutions that continued their activities and their traditional role in society under different dispensations, namely, Mughals, British and then Independent India.

Keywords: Mahabodhi Temple, Jangambari Math, Bodh Gaya Math, Mughals, madad-i ma' ash, waqf,

1. INTRODUCTION

As Islam got political dominance over the region of South Asia it moulded its world view according to the needs of the hour and to accommodate itself among the local masses. The 'Hindus' and the Buddhists were put up under the definition of *ahl al-kitab* giving them the status of 'protected subjects' under the 'Islamic state'. They were also allowed to build/rebuild/repair their places of worship and in some cases, grants were made for the purpose.¹ They manned various departments especially, revenue collections and general administration under the new political system. When the Turks explored deep into the region, no doubt, they ransacked all the established social system bringing about a kind of drastic change which Mohammad Habib likes to call 'rural and urban revolutions'. It is not that non-Persian sources remember only the *turushkas* as the destroyer of temples, but they also remember some of them as 'Vishnu like sultan'. At a time when Delhi was becoming *qabat ul Islam* or the 'centre of Islam' due to the protection and patronage given to

¹ For details see, Derryl N Maclean, *Religion and Society in Arabs Sind*, E.J. Brill, Leiden, 1989, pp. 40-44

the *ulema* of Islamic East who had migrated to Delhi for the fear of the Mongols, the Indian Sanskrit based intellectuals were pursuing their craft with the help of their old patrons in an old centre like Banaras. Though, we do not find any instance of extension of patronage to the non-Muslims before Mohammad bin Tughlaq but it is also a fact that we have very few documents available for the period. Emperor Sher Shah not only used Devnagiri script in his official documents like Mohammad bin Tughlaq and the Lodis but also provided for 'a piece of productive land as *waqf*' which were to be attached to a village temple where Hindus were 'authorised to control and manage their own schools, so that they might properly make their students perfect in their own art', since service to them is considered to be 'service to religion and church'.²

The Mughals were frequent in granting patronages to the institutions as well as individuals, who rendered some sort of services to the society, such as health, education, free kitchens and religion. These grantees were not essentially in employment or direct management of the state. The patronage was made in terms of land revenue grant, which was generally covered under an umbrella term *madad i ma'sh*. Such grants were given to (i) men of learning (ii) religious devotees (iii) persons of noble lineage who, out of ignorance could not take to any employment and (iv) destitute persons without the capacity for obtaining livelihood. Under these four criteria, religion is not an eligibility condition.³ *Sufi dargah, khanqah, madrassa, maths*, Hindu & Jain temples and social institutions such as public kitchens and *musafirkhanas* (rest houses) were prominent among the beneficiaries of the Mughal patronage. Jhakbar shrine, Brindavan (Govind Devji) temple and Jangambari Math were among the earliest major Hindu recipient institutions of such grants. These grants, over a period created a number of institutions which supported different kinds of service and religious elites, and these elites created several centres of learning such as Gangoh, Nanauta, Ambetta and Rampur Miran, Dalmau, Kara-Manikpur, Sandila, Bilgram, Zafarabad, Sahali, Salon, Nasirabad, Khairabad, Laharpur and Jais were well known centers of intellectuals in the region of Awadh.⁴ The eastern region of the empire, which earned the epithet of '*Sheraz i Hind*' was not only known for its being the centre of orthodox Islamic learning but it also comprised the city of Banaras which from ancient times, 'had been the chief seat of learning in Hindustan and crowds of people flock(ed) to it from the most distant parts for the purpose of instruction'.⁵ The Mughal patronage was extended to these seats of Hinduism as well. Gopal Mandir, a temple of Krishna at Athgawan, which also housed a school enjoyed grants from the time of Emperor Akbar which consisted of ten villages. Surajkund Math was also given a substantial grant in Mirzapur from the times of the Mughals.⁶ In fact, the region of '*purab*' as has been termed by Azad Bilgrami was not only known for Muslim literati rather it was endowed with a culture of learning and religion from ancient times.

The present paper compares two Shaivite centres of activity in the eastern region of the Mughal Empire; Jangambari Math at Banaras and Bodh Gaya Math in *suba* Bihar, which were granted *madad i ma'ash* during the periods of different Mughal emperors. Both the monasteries were Shaiva centres of learning situated in primarily Vaishnava region and who not only disseminated Shaivite knowledge but also provided for food and shelter to the visitors and pilgrims belonging to the sect. These two institutions were granted *madad i ma'ash* for supporting their activities and the Mughals kept a close eye on the administration of the institutions, especially on administration of the land they granted. The attempt here is made to look at the history of these two maths, particularly, the history of functioning of the institutions of *madad i ma'ash* and the changes which occurred with the coming of the colonial government.

Both the institutions during the colonial times had to face court cases for different reasons. Jangambari Math used to run a banking business where people deposited their money on a low interest and the *math* lent it on higher rates to the needy. This way, the *math* not only earned heavy profits but also kept a tight grip over its tenants. In 1920s, some of the depositor of the 'math bank' (as it was called in those days) sued the *math* and got some of the property of the *math* attached for non-payment of their deposits. The *math* argued that the property cannot be auctioned/sold as the property

² Hasan Ali Khan, *Twarikh-e Daulat-e Sher Shahi* in *Medieval India Quarterly* Vol. I, No.2, October, 1950, Aligarh, pp 74-78.

³ Abul Fazl, *Ain-i Akbari*, I, tr. by Blochmann H, Asiatic Society, Calcutta, (third print), 1977, p.278

⁴ For further discussion on the centers of learning see, Jafri, Saiyid Zaheer Husain, 'Education and Transmission of Knowledge in Medieval India', Symposia Paper, Indian History Congress, Malda Session, 2010.

⁵ Abul Fazl, *Ain-i Akbari* vol. 2, tr. by Col. H.S. Jarret, (reprint) Low Price Publication, 2011, pp. 169-70

⁶ *District Gazetteer of Benaras*, Allahabad, 1909, p. 122

is a *waqf* or religious endowment and to argue on this point the *math* supplanted with various documents from the time of Mughal emperor Akbar. In this way, bulk of documentation was generated containing *farmans*, *hasbul hukm*, *parwanas* and *qazi's sanad*. Some of the documents which are available in Allahabad High Court got published by M.A. Ansari⁷ whereas three bound volumes of the court proceedings with all annexure and depositions are kept with the *math*⁸. We are fortunate to have used these documents in this paper. Math at Bodh Gaya was famous for being the 'guardian' of Mahabodhi Temple, in a tussle to control the Mahabodhi temple between the Buddhists and the *math*, another set of documents was generated. In the famous case of H. Dharampala, the Ceylonise Buddhist and the mahanth of the Bodh Gaya Math was asked to prove its antiquity and its claim over the temple and for the purpose all the available documents which included *chaknama* (land demarcation document), *sanads*, *farmans* and *hukms* from the time of emperor Aurangzeb. These documents were translated into English and published under instructions of the famous district magistrate of Gaya, Mr. Grierson.

2. JANGAMBARI MATH OF BANARAS

The Jangambari is a monastery of Veer Shaiva sect, which trained the students of the *samparday* in different subjects such as *sahitya*, *dharma*, *nayay* and books of the sect⁹. The *math* first got the attention of Emperor Akbar in A.H. 971/A.D. 1563 who issued a *farman* directing the officials of *sarkar i-haveli* of Banaras to leave 480 *bighas* of cultivated land in the name of Arjun Jangam as they had *sanads* from the earlier *hukkam*, the officials were also asked not to harass the grantee for other taxes.¹⁰ He again issued a *farman* in A.H. 973/A.D. 1566, perhaps, when the Emperor visited the Chunar fort from Jaunpur, confirming the grant of 480 *bighas* of land and now it was termed '*wakf*'.¹¹

In AD 1575, the Emperor issued a general order that all the holders of *madad i ma'ash*, *auqaf* and *idrarat*, to take confirmation from the *sadr*, and the *karoris* were asked to make enquiry into the papers of the grantees.¹² And when Akbar lost his faith in Sheikh Abdun Nabi, the *sadr*, he issued another order according to which all the grants of 500 *bighas* or more were to be verified by the emperor himself; later this condition of 500 *bighas* reduced to 100 *bighas*, and '3/5th of such grants lapsed to the state upon the death of the grantees including those of the Irani and Turani females.'¹³ The grant of the Jangams too were investigated, and the investigating *karori*, Rai Baruna found that in all the *farmans* and other documents related to the grant were in the name of Malik Arjun Jangam and he got astonished that how can a man remain alive for so many years! He then enquired it from the Jangams who told him that the elder among the body of Jangams who becomes the successor of Arjun being the *mutuwalli* receives all the *tasadduq* i.e., charity from emperor and princes was called Malik Arjun. The *karori* then verified their version from other local officials, *qazi*, *mufti* and inhabitant of the area. This was reported to the emperor and a *sanad* was issued to testify.¹⁴

⁷ Ansari, M.A., *Administrative Documents of Mughal India*, Delhi, 1984, hereinafter, M.A. Ansari

⁸ I am thankful to Dr. Nalini Singh, my colleague who made a copy of the volumes available to me, which she had got from the *math*.

⁹ Mahanth Mallikarjun Swami's deposition before Allahabad High Court in First Appeal no. 58 of 1934, *Reccord of Proceedings*, hereinafter *Record of Proceedings* vol. 1, p.247

¹⁰ M.A. Ansari doc. I, p. 15.

¹¹ *Record of Proceedings* part II, Exhibit 2, (those documents which are admitted with due examinations as an evidence in the courts of law are given Exhibit numbers), the copy of *farman* was translated from an Urdu translation of the document, however the court has took great care in translation by appointing a Commissioner who not only compared the documents from the original but also made corrections in translations provided by the Mahanth (plaintiff appellant) but it seems the document under consideration is a work of forgery; the *firman* forbade the 'police officer', 'tahsildar' 'chaudhary or kanungo' of Chunar or Benaras to interfere with the grantees affairs; the words like 'tehsildar' is of later origin and cannot be accepted to be used in 1566 and Mughals, generally avoided word '*wakf*' in their official documents. Also see, Abul Fazl, *Akbarnama* vol 2 tr. by H Beveridge, LPP, 2010, p. 393

¹² Badauni, Abdul Qadir, *Muntakhabut Twarikh*, vol-II, transl. & ed. by W.H. Lowe, Academica Asiatica, Patna, 1973, pp.204-06

¹³ *A'in-i-Akbari*, I, op. cit. p.280

¹⁴ An undated *sanad* on which AH 992 is written by some officials of the math; see, M.A. Ansari, doc. IV, p. 18

Owing to the regulations of Emperor Akbar of AD 1575 and thereafter, the Jangams' grant reduced drastically. A *farman* issued on 1st Zilhij A.H. 992/A.D.1585 directs reduction in the grant from 480 *bighas* to 200 *bighas*. Further it also says that the land be measured in bamboo as 'reform made by Raja Todar Mal'. From the old *mahals* only 150 *bighas* were allowed whereas a 50 *bighas* of land were given from a new place in *pargana* Banaras.¹⁵ The reduction of 300 *bighas* from old *mahals* which was a cultivated piece of land and the other 50 *bighas* allotted in new area highlights the policy of the Mughals who not only used the class of the *madad i ma'ash* holders as *lashkar i dua* but also as an agent of agricultural expansion. As we will see in following paragraph, the Jangams were further granted 100 *bighas* of land from waste land, such practice of reduction and re-allotment not only kept the *ai'mma* under complete check but it worked as catalyst in enhancing state's revenue.

It appears that measurement of the land in bamboo (*gaz i Ilahi*) the Jangam grant further reduced to 178 *bighas* since all the subsequent documents shows this figure only.¹⁶ This was further reiterated by the *nishan* of Sultan Salim in A.D. 1601.¹⁷ They later appealed to Emperor Jahangir that their number had increased and hoped for some more land. The emperor ordered Prince Perviz to enquire into the state of the Jangams and 'if he thinks proper he may give the Government land lying waste in the *pargana* Chunar'. Accordingly, the prince suggested giving 100 more *bighas* to them and a *farman* was issued for the purpose.¹⁸ The land was further confirmed by Shahjahan in A.D.1630.¹⁹ It is interesting that Aurangzeb also confirmed the *madad i ma'ash* grant enjoyed by the Jangams.²⁰ However, we do not find any *farman* of Aurangzeb regarding the grant after his general order of AD 1672-3 of resumption of all the grants held by Hindus. But, the qazi of Banaras, in an order of AH 1085/AD 1675 says that 'the groups of Jangams [had] appeared before the Emperor' and 'complained...that the revenue officials of the place had, at the instigation of their adversaries...[were] taking rent of their havelis' and 'a sum of Rs. 500 had been realised from them'; the emperor then transferred the case to him. The qazi after enquiry passed the judgment to refund the money from the treasury which was taken by force from the Jangams.²¹ It seems the local Muslims took the general order of AD1672-3 on its face value and some of them laid fake claims on the properties of the *math*. Two brothers Gaus Muhammad and Shaikh Tahir and one, Shaikh Ali Amjad went to the court of qazi to alleging illegal occupation of their landed properties. But later on after an enquiry they had to withdraw their case and executed *barayatnamas* (deed of relinquishment) dated, 28th Muharram, AH 1096/AD1685, 16th Rabi I, AH 1096/AD 1685, 24th Ramzan AH 1096/AD 1685 under the seals of the qazi, Enayatullah, *mir adl*, Shaikh Waliullah and Hafiz Nurullah, the *mufti* of Banaras stating that they were satisfied with the evidences provided by the *mahanth* and they were withdrawing the case.²² It seems the grant continued after emperor Aurangzeb, though we do not have any document which could tell us anything about state of *madad i ma'ash*, except a *farman* of Muhammad Shah of his 30th RY (i.e. AD.1748) which instructs officials to keep the jangams in possession of a property purchased by them near Ram Sagar tank in Gaya.²³ We have no documentary evidence from the time of Awadh Nawabs, but it is sure from a Will of Mahanth Sidhling *alias* Hareshar Jangam in favour of Birbhadra, dated 9th March, 1872, that the properties acquired under *farman shahi* continued till then, about which the *mahanth* warns his heir-apparent not 'to mortgage, lease or sale those lands'.²⁴

After the treaty of AD 1801, the British East India Company occupied Allahabad, and to this effect Banaras went into their dominion. It seems the British started enquiring the affairs of *maufi* holders as it was done in Bengal under Revenue-free

¹⁵ *Record of Proceedings* part II, Exhibit 3; A *farman* of Emperor Akbar dated 1st Zilhij 992 A.H.

¹⁶ *Ibid*, Exhibit 13 also see M.A. Ansari doc. V; the new *gaz-i-Ilahi bigha* was larger by 13% see, Irfan Habib, *Agrarian System of Mughal India*, OUP, 1999, p.407 n.6

¹⁷ *Record of Proceedings* part II, Exhibit 13, p. 365; also see M.A. Ansari doc.V, pp. 19-20

¹⁸ *Ibid*, Exhibit 21, p.371; also see *sanad* under the seal of Sarfraz Khan, M.A. Ansari doc.VII, p.22

¹⁹ M.A. Ansari doc. IX, also see doc.XI and XIII

²⁰ *Record of Proceedings* part II, Exhibit 11, 20 pp. 387-389; in popular memories, the *mahanths* had performed a miracle of visiting Nepal through air in the days of Aurangzeb and after display of this 'miracle' to the emperor, the *math* and its properties were saved. See, *District Gazetteer of Benaras*, Allahabad, 1909, p.123.

²¹ *Ibid.*, Exhibit 10, p. 393.

²² *Ibid.*, Exhibit 58,55-56, pp.395-401

²³ *Ibid.*, Exhibit 7, p. 403

²⁴ *Ibid.*, Exhibit J-17, p.439

Lands (Badshahi & non Badshahi) Grants Regulation, 1793. Taking advantage of the situation, the locals, who were not in good terms with the *math* took help of a kotwali reporter, Kanwal Lochan who filed a written statement dated July 2, 1802, in kotwali Chabutra, Banaras:

“The Jangams have gradually taken possession of more than ten thousand years of unclaimed lands belonging to *Ilaqa bait ul mal* and have built houses and settled tenants thereon. The Jangam appropriates the rents and income arising from the lands. Consequently I have brought him here. As regards this an inquiry may be made from him and he may be asked to produce the title deed if he has got any, so that it may be ascertained as to how much land is entered in it and how much has been wrongfully taken possession of by him. All the *mohalla* people have made a statement to this effect. Besides this, it is specifically provided in the (law) of 1795 (*sic*) that if any person or zamindar will give any land or village to any person, it shall revert to the *Sarkar* after the death of that person. As regards the land of the Jangambari, it is not known in whose name it has stood. The Jangams are a kind of Faqirs who have no wife or children. On what ground the said Jangam is the owner in possession of this land and enjoys property worth two lacs? An inquiry should be made from him on all these points.”²⁵

The Jangams were asked to produce the documents under which they enjoyed the land rights, and a land survey was done. Shankar Lal, the representative of the Jangams produced Mughal *farmans* on 20th of July 1802, and this way, the British authorities allowed them to hold their landed properties.²⁶ Again the British demanded all the *sanads* to verify the *maufi* grants in AD1812. The *mahanth* produced the *sanads* and got the documents verified in collector's office and the villages were entered into the *maufi* register.²⁷

With the changing rights in land during the British period, the Jangambari Math made huge profits in its banking business. They took deposits from people on lower interest rates and gave loans to the needy on a very high rate of interest. In this way, they purchased lots of immovable properties here and there. And this took them to the courts of law. Some odd hundred depositors of the *math* filed suits against the *math* in courts of law. The court ruled against the Mahanth, Shivling Swami and ordered attachment of his *math* properties in lieu of the debt. At the same time his *chela* Panchakshar Shivacharya was made the next *mahanth*, though under some suspicious circumstances. Panchakshar filed appeal in the High Court of Allahabad in 1934 claiming that the properties which have been attached for the debt are endowed ones and the banking business was a personal business of the ex-*mahanth*. The Court demanded all the papers and accounts from the *math*. The court held that the '*math* properties were endowed property...but the depositors can realise their dues only by attaching the income and profits of the Math property or by the appointment of a receiver after making due allowance for the plaintiff's maintenance, worship of the idols etc., and not by their sale.'²⁸

It is not clear from the order whether the court really appointed a receiver? If yes, under which rule? The *mahanth*, at many places calls himself zamindar and mahajan and source of his income as *parjot* and at no place it appears that the *math maufi* was ever been subjected to any kind of supervision of Board of Revenue.

3. BODH GAYA MATH

The place

Bodh Gaya in Bihar is famous for being the place where Gautam Buddha is said to have got enlightenment under a *pipal* tree. The place over a period became most venerable pilgrimage site for the Buddhists. During the times of Gupta a monastery came into being and the great Mahabodhi temple was built. By this time Buddhism spread in other countries and pilgrims started reaching Bodh Gaya from these countries. The earliest evidence of any pilgrim from outside India coming to Bodh Gaya is an inscription by a monk named Bodhiraksita of Sri Lanka written in the 1st century BC. Sri Lankans were not just enthusiastic about going to Bodh Gaya on pilgrimages; they also did much to make it a vibrant and thriving centre of Buddhism. When I Tsing was in Bodh Gaya in the 7th century he met a monk who had come all the way

²⁵ Ibid., Exhibit 74, p.407

²⁶ Ibid.

²⁷ Ibid., petition of Sheo Bhag Gir dated 9th November 1812 for verification of their *sanads* according to a notification of the collectoriate, Exhibit 72, pp.421-22

²⁸ Ibid., Vol. I, p. 341

from what is now Kazakhstan. Vietnamese began coming to India on pilgrimage soon after the introduction of Buddhism into their country in the 6th century. In about A.D. 402, after an epic journey through the mountains and deserts of Central Asia, Fa Hien reached Bodh Gaya the first Chinese monk ever to do so. On returning home he wrote an account of his pilgrimage which in later centuries inspired hundreds of others to follow in his footsteps. The most famous of these was Hiuen Tsiang who stayed in India from A.D. 630 to A.D. 644 visiting Bodh Gaya at least twice during that time. He wrote an account of his pilgrimage in which he included much detailed and accurate information about Bodh Gaya. In fact, we today are able to identify many locations in and around the Mahabodhi Temple and know their histories and the legends associated with them, because of Hiuen Tsiang's book. Another pilgrim, this time a Tibetan, who also bequeathed to us much information about Bodh Gaya's past was the scholar monk Dharmasvamin. He arrived in the spring of A.D. 1234 only to find that "the place was deserted and only four monks were staying there. One of them said; 'It is not good! All have fled from the Turushka soldiers'. The monks blocked up the door in front of the Mahabodhi Image with bricks and plastered it. Near it they placed another image as a substitute. They also plastered up the outside door of the Temple. On its surface they drew an image of Mahesvara to protect the Image from the non-Buddhists. One of the monks said; 'We five dare not stay here and shall have to flee'. As the days stage was long and the heat great, they felt tired and as it became dark, they remained there and fell asleep. Had the *Turushkas* come they would not have known it". The danger passed and Dharmasvamin and the other monks were able to come back. Dharmasvamin stayed for three months, went to Rajgir and Nalanda and then returned to Tibet. His biography includes details of everything he saw and experienced in Bodh Gaya. However after this episode, we do find some evidences of pilgrimage to this site but Bodh Gaya now ceased to be centre of 'active Buddhist cult'²⁹. Abul Fazl discusses Buddhism at length in his work *Ain-i-Akbari*, but do not mention the place at all in this regard. It seems by the time Abul Fazl was writing the place was completely forgotten, except the name of the *mauza* 'Mahabodh' where the shrine existed.

The Math and the pious Mughals

In A.D.1590, one Gosain Ghamandi Giri a Saiva *naga sanyasi* came to choose this site for his monastery and took care of the temple along with the Saiva *math* and allowed the Buddhists to pray in the temple.³⁰ It is only during the Mahanthship of Mahadeva Giri (d. A.D. 1682), a worshipper of *Annapurna Devi*, that the *math* came to be known 'for feeding itinerant *fakirs* and providing shelter to the other *gosains* of the order'. It seems that by the time of Emperor Aurangzeb, the *math* had become famous enough for its *Sadabirt*³¹ that it attracted royal patronage.³² A *chaknama* of 18th Ziqad Fasli

²⁹ Trevithick, Alan, *The Revival Of Buddhist Pilgrimage At Bodh Gaya:(1811-1949)*, Motilal Banarsi Das, New Delhi, 2006, pp.2-3 also see, S. Dhammika, "A History of Bodh Gaya", http://www.buddhanet.net/e-learning/pilgrim/pg_histbg.htm accessed on January 6, 2010.

³⁰ Sarkar, Sir Jadunath, *A History of Dashnami Naga Sanyasi*, Sri Panchayti Akhara Mahanirvani, Daraganj, Allahabad, 1959, p.281, Sarkar's compilation of the history of *Dashnami Naga Sadhus* mainly deals with the Giri sect of the *dashnamis* who were very active as fighting mercenaries for different players of power in mid eighteenth century in north India. The Giri sect and their *math* were also known for their money lending business, they were said to have financed the Nizams of Hyderabad in the days of crisis, see p.281-82. For their career as mercenary see, William R. Pinch, *Warrior Ascetic and Indian Empires*, Cambridge University Press, Delhi, 2006. Also see, Mathew Clark, *The Dashnami -Samnyasis: The integration of Ascetic Lineages into an Order*, Brill Leiden, Netherlands, 2006 for their belief and organization of *maths* and *akhars*; Legends say that the *sanyasi* was killed by a tiger and buried, according to the customs of *Giris* in a *samadhi* near the Mahabodhi temple. He was succeeded by his disciple Chaitanya Giri in 1022 *fasli* (A.D.1615). Mahant Chaitanya Giri was known for his learning and austere piety and spent his time in religious devotion. He was also buried within the great Mahabodhi temple and a small temple was made over his *Samadhi* which still exists.

³¹ According to Wilson's *Glossary Sadavrat* or *Sadabrit* is 'distribution of provisions daily to passers by, mendicants, and paupers: in Kamaon, a grant of land to provide for the distribution of food at certain fixed spots to pilgrims, see, H.H.Wilson's *Glossary of Judicial and Revenue Terms*, W.H. Allen & Co., London

³² It is said that the third Mahanth of Bodh Gaya, Mahadeva Gir (A.D.1642-A.D.1682) was a worshipper of 'Anna Purna, the Goddess of Plenty', who pleased by his devotion and presented him a cup (*katora*) for distribution of grain, the virtue of which was such that so long as alms were distributed by the *mahanths* from it, the monastery would never lack'. Moreover, its contents were always sufficient to exactly satisfy the appetite of the recipient of the alms dealt with it' Grierson, District Magistrate & Collector of Gaya in 1892 further writes, 'this cup is still in existence, and is used daily for

1118/A.D.1711 issued by the order of Emperor Bahadur Shah says that the *chak* Mastipur in *mauza* Mahabodh, *pargana* Maher was granted to the 'righteous Gosain Lal Gir as *madad-i-m'ash* by the former rulers' and it was further continued as '*khairat* in the name of God to Gosain Lal Gir'³³. The Mughal Emperor Farrukhsiyar in his 4th year of reign granted two villages 'Antaria, Tappa Nagbansi and the waste jungle therein' from *pargana* Chainpur, *sarkar* Rohtas for the maintenance of Gosain Keshav Gir of the *math*³⁴. Similarly, Emperor Muhammad Shah in his 9th regnal year also granted villages Bagula and Dharahra Khurd in *pargana* Sherghati and again by another *farman* villages Mastipur and Taradih in *pargana* Maher to Lal Gir for the maintenance of the *math* with the usual style of Mughal chancellery, 'to pray for the everlasting empire'.³⁵ Later, confirmatory documents for the above grants were obtained from Mirza Muhammad Akbar Shah Bahadur son of Emperor Shah Alam in A.D. 1791³⁶.

4. MATH TO ZAMINDAR

Bodh Gaya *math* has been famous for being custodian (or 'owner') of the Mahabodhi Temple and is also known among the academicians for 'Hindu-Buddhist conflict' for the control of the great temple.³⁷ Their importance of being *naga akhara* (monastery of 'warrior *naga dashnamis*'), who were instrumental in shaping up the mid eighteenth century political history of the *doab* region³⁸, was overshadowed by the grandeur of Mahabodhi temple. Though subsequent histories of the *dashnami naga sanyasis* tell us that they were active players in chaotic condition of the mid eighteenth century, but the Bodh Gaya *math*, it seems did not take any active part in any battle despite being located in historically important place where Shah Alam II in A.D. 1761 fought a battle (Battle of Manpur) against the British³⁹. From the sources available to us it seems the *math* enjoyed good relations with the ruling authorities. They were favored by the Mughals with *madad-i-m'ash* grants, *shivaprit* by the local *zamindars* and later the British also confirmed the grants. It seems the Math had enough influence over the local population that it attracted patronage from the ruling powers. Even at the time when holders of the *l'akharaj* grants suffered at the hands of British after their accession to the *diwani*, the *math* was successful in retaining its *madad-i-m'ash*. Alan Trevithick, while looking at the role of British in the case of possession of

the distribution of alms to the numerous pilgrims who pass by the monastery.' see, Grierson, George A, I.C.S., *Notes on the District of Gaya*, Bengal Secretariat Press, Calcutta, 1893. p.17.

³³ Attested copy of *chaknama* dated 18th Ziqad, 1118 Fasli (A.D. 1711) corresponding to 4th year of Bahadur Shah's accession to the throne, English transl. reproduced in Rai Ram Anugarah Narayan Singh Bahadur, *A Brief History of Bodh Gaya Math*, Bengal Secretariat Press, Calcutta, 1892, p.5 also see, confirmatory *sanad* of Deewan Sahib for the same grant in the same date see *ibid.*, pp.6-7.

³⁴ *Farman* of Emperor Muhammad Farrukh Siyar dated 15th day of Ziqad 5th regnal year, *ibid.*, pp.4-5.

³⁵ *Farmans* of Emperor Muhammad Shah also bearing seal of Nasrat Jang Itmadudaulah *Wazir-ul-Mamalik* Qamruddin Khan Khan Bahadur dated 1st and 11th day of Rabi-I, respectively, in the 9th year of his accession to the throne i.e., A.D. 1728, *ibid.*, p.4.

³⁶ *Nishan* of Mirza Akbar Shah Bahadur bin Hazrat Shah Alam Badshah Ghazi dated 3rd day of Shawal 30th R.Y., says that *mauza* Mastipur and others in *pargana* Maher, *sarkar* and *suba* Bihar were 'conferred upon the Mahanth Rahmit Gir under Royal *farman* as *madad-i-m'ash*, and that the said *farman* has been lost'. The *mahanth* pleaded for 'a *parwana az daftar khas sharif* prohibiting every person from interfering with the said property', *ibid.*, p.5, it is interesting to note that the document was issued 25 years after the grant of Diwani to the Company and was actually considered valid by the Colonial government even after passage of the Bengal Revenue-free Lands (Badshahi Grants) Regulation, 1793 by which only the '*altamgha, jagir, aima, madad-i-m'ash* or other *badshahi* grants made previous to the 12th August, 1765, the date of the Company's accession to the *Diwani*' were deemed valid., see, Bengal Regulation XXXVII of 1793 dated 1st May 1793 in *Bengal Code*, fifth Ed. Vol. 1, Bengal Govt. Press, Alipore, 1939.

³⁷ For discussion on Hindu-Buddhist conflict see, Alan Trevithick, 'British Archaeologists, Hindu Abbots, and Burmese Buddhists: The Mahabodhi Temple at Bodh Gaya, 1811-1877', *Modern Asian Studies* (1999), 33:635-656 Cambridge University Press

³⁸ For their carrier as mercenary in the army of Awadh Nawabs against Afghans and Raja of Benaras see, Sarkar, Sir Jadunath, *A History of Dashnami Naga Sanyasi*, Sri Panchayti Akhara Mahanirvani, Daraganj, Allahabad, 1959

³⁹ See *District Gazetteer of Gaya*, 1957, p.41.

Mahabodhi Temple has rightly observed that 'maintenance of peace' was achieved by favoring the Mahant in the famous case of Mahabodhi Temple⁴⁰.

However the *math* at times had to face hardships from the British administration perhaps, due to the compromises of local power and dilution in the British policies for the Mahabodhi temple. In A.D. 1840, the *madad-i-m'ash* grants by the Mughal Emperors along with some other villages were resumed by the British under Bengal Regulation II of 1819 and Regulation III of 1823 under which all the lands which were not assessed at the time of first decennial settlement or passage of the Regulation XIX and XXXVII of 1793 were to be assessed and included within the limits of a nearby estate settled under decennial settlement or subsequent to that.⁴¹ But after a thorough enquiry, the British issued *sanads* confirming the villages granted by the Mughal rulers in the name of the Mahant being recognised as the custodian of the *math*.⁴² The British *sanad* further says that the villages were to be released provided that the Mahant file an *ikrarnama* (affidavit) in Persian and English that the Mahant would claim all the sum equal to *mustajiri jama* from the *mustajirs* or the holders of those villages and no claim would lie with the Government.⁴³ Also the Mahant was asked, in the fashion of the Mughals to 'appropriate as usual the produce of these tenures towards the performance of noble works, such as *sadabarat* alms, &c., and to pour blessings on the Government.'⁴⁴ All the grants thus resumed in July, 1840 were released within one year i.e., in October, 1841. The delay of two decades after passage of the said Regulation in resumption of the grant and the hurriedness in releasing the villages can be understood in terms of local British official's conflict with the *math* and unwillingness of the Superior officials of the British East India Company to disturb the *math* in anyway. Such attitude can also be seen in the case of famous H. Dharampala, where the Collector-Magistrate ordered conviction of *Mahant* and he was ordered a fine for disturbing the worship and manhandling the Ceylonese Buddhist.⁴⁵ The Calcutta High Court later set aside the order of the subordinate court.

Unlike other institutions having endowed with *madad-i-m'ash* in the Mughal times, the *math* did not lose anything after the Great Uprising of 1857.⁴⁶ At the time when the famous Gayawal Brahmins, in spite of their assurance to the British did not provide any substantial helps during the Uprising, the *math* 'rendered services to the Company government' in the 'dark days of Sepoy Mutiny'. The colonial government also rewarded the Mahant with the 'Certificate of Honour' from the Queen Empress of India for the services they provided to the Government during famine of 1874. The Mahant, being 'one of the most influential and respectable zamindars of the district,' was exempted from 'personal appearance in the

⁴⁰ Trevithick, Alan, *The Revival Of Buddhist Pilgrimage At Bodh Gaya:(1811-1949)*, Motilal Banarsi Das, New Delhi, 2006, p.26

⁴¹ See, British *sanad* dated 10th May 1841 of Court of Khas Mahal, Zila Bihar in Rai Ram Anugarah Narayan Singh Bahadur, *A Brief History of Bodh Gaya Math*, Bengal Secretariat Press, Calcutta, 1892, pp.7-8 also see The Bengal Land-revenue Assessment (Resumed Lands) Regulation no. II of 1819 and The Bengal Land-Revenue Assessment (Resumed Lands) Regulation no.III of 1823 in *Bengal Code*, 1939, for the provisions of the said Regulations.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ See, British *sanad* dated 11th October, 1841 in Rai Ram Anugarah Narayan Singh Bahadur, *A Brief History of Bodh Gaya Math*, p.8.

⁴⁵ *The Bodh Gaya Temple Case: H.Dharampala Vs Jaipal Gir & others*(Proceedings of the Gaya District Court), W. Newman & Co. Caxton Press, Calcutta, 1895, Judgment of the High Court pp. 1-11

⁴⁶ British attitude towards Muslim *ma'fidars*, after rebellion of 1857 turned very harsh and either they wanted to resume the grant and where they could not do so—due to charitable nature of grant, they confirmed the grant as *waqf*, reserving power of interference into their hands and such other terms and condition of assisting the British government which, actually diverted the attention of the grantee from the original purpose of social welfare; see, Prof. S.Z.H Jafri, 'Madrasa and Khanqah, or Madrasa in Khanqah? Education and Sufi Establishments in Northern India', in Jan-Peter Hartung & Helmut Reifeld (eds.), *Islamic Education, Diversity, and National Identity: Dini Madaris in India Post 9/11*, Sage Publications, 2006, pp.88-92; the British government after the Uprising noticed that the particular grantee (*sajjada nashin* of the *khanqah-karimiya*, Salon) did not help the British and hence 'cannot be considered to have any just claim on our government'. And on condition of payment of Rs.28000/- *nazrana*, to get the grant confirmed with government's right to interfere in expenditure since it was a trust, hence the Financial Commission did not agree on this suggestion and waved the amount of Rs.28000/- (see, p. 90).

civil courts' under the provisions section 22, Act VIII 1859.⁴⁷ Mahanth's loyalty was also recognised by awarding him exemptions 'from going armed and possessing arms without licenses' under the qualification category of Landholders.⁴⁸ The fortune of *math* rose day by day, apart from *lakharaj* tenures it also purchased proprietary rights of many villages. By A.D. 1892, the *math* acquired land in 212 villages having a gross rental of Rs.59,004 and 9 Ana 10 paisa under several tenures. "The assets of the estate are always in a very solvent state owing to good management. One peculiar feature in the management of the domestic and foreign affairs of the estate is that all the posts in and outside the monastery are reserved for the members of the order. All persons employed, -- from the grass-cut to the highest priest, or biggest village agent,--are *gir gosains* of Saivite school, disciples of His Holiness the Mahanth of Bodh Gaya."⁴⁹ The Mahant, time to time helped the British government by 'repairing road in his *zamindari*' and once Mahant Krishna Dayal Gir shown 'good public spirit and liberality in the right direction by subscribing Rs.5, 000 to the "Grierson Well and Public Gardens Fund".⁵⁰ All the helps provided to the British government did not go in vein, the Mahant was recognised as sole proprietor of the Math property and he managed all of it single handedly despite the passage of Bengal Charitable Endowment Act 1810 and Religious Endowment Act of 1863 which provided for a committee of interested parties in management of such properties viz. *madad-i-m'ash*, *m'afi* and *l'akharaj*.

However, Mahanth Krishna Dayal Gir in his last days executed a deed of trust dated 13th of February 1932 and divested himself from the management of the properties of the trust, known as Mahanth Krishna Dayal Gir Trust.⁵¹ The same year Mahanth Krishna Dayal Gir died and a dispute of succession arose between two of his *chelas* namely, Narain Gir and Ram Lakhan Gir. However Narain Gir emerged successful and occupied the *gaddi* but a case against him was filed and from the District Court they made compromise on appointment of Arbitrators for resolution of the dispute. However, one of the named persons by the court did not agree to become arbitrator and in the mean time the Mahant went to High Court of Calcutta for the revision of the decision of appointment of Arbitrator as he had agreed only on the two named persons. Mahanth Narain Gir also argued that the property is not of charitable nature. When the counsel for defendant referred a case related to appointment of trustee of a *waqf* property, the Judge held thus:

"In the present case the plaintiff merely admitted that the muth belonged to an order of Gir Sanyasis. There is nothing on the record to show the strength of this order and no indication whether the members of the order can be regarded as any large section of a community. Furthermore, there is nothing to suggest that the muth was of the nature of the public charity and that the income was to be spent on public purposes and was neither mere religious order nor confined for the benefit of a group of persons belonging to that order."⁵²

After this episode the Mahanth by a registered deed dated 19th of September 1935 cancelled the aforesaid deed of trust and the Mahanth continued to manage the *math* as sole proprietor.⁵³ In 1953, Mahanth Dansukh Giri filed a title suit claiming all the properties as his personal properties which the Patna High Court dismissed in 1955 saying the properties were of a Public trust. Aggrieved by the judgment the Mahanth filed a revision appeal in Supreme Court of India which ended up in a compromise in 1957, it was settled that some of the properties were of trust of which the Mahanth was entrusted with the administration while some other were declared to be Mahanth's personal properties.⁵⁴

⁴⁷ Rai Ram Anugrah Narayan Singh Bahadur, *A Brief History of Bodh Gaya Math*, Bengal Secretariat Press, Calcutta, 1892, p.2

⁴⁸ See Police Notification dated 19th July, 1880 in Ibid., p.15

⁴⁹ Ibid., p.3

⁵⁰ Ibid.

⁵¹ The deed is still kept with Deen Dyalu Giri, present *Darbari* of the *math*; also see, Judgment dated 10/12/1984 of Patna High Court in the matter of Mahanth Dhansukh Giri And Ors. vs State Of Bihar And Ors., www.indiankanoon.org

⁵² See, Judgment of Calcutta High Court dated 11/12/1933 in the matter of (Mahanth) Narain Gir vs Ram Lakhan Gir And Anr, www.indiankanoon.org

⁵³ See, Judgment dated 10/12/1984 of Patna High Court in the matter of Mahanth Dhansukh Giri And Ors. vs State Of Bihar And Ors., www.indiankanoon.org

⁵⁴ Ibid.

Passage of Zamindari Abolition Act 1953 did not affect the *math* in any way and it continued to enjoy all the previous rights. However, Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961 brought difficulty to the *math* and the Mahanth could not remain quiet. However, it is well known fact that the land reforms had never been implemented well in Bihar but the Mahanth had to file returns and he did file it in A.D. 1970. But before that the then Mahanth, Shatanand Giri filed a petition seeking permission from the Board of Religious Trust to divide the property in the names of 17 deities. And after getting permission he accordingly prepared a deed of arrangement dated 20th of January, 1970 and the properties were carved out in seventeen schedules respectively allotted to the seventeen deities. And with this provision each of the 17 deities being a juristic person could hold land within the ceiling area prescribed even though the properties were not divided between them.⁵⁵ Thus the total 2000 acres of agricultural land was divided into 17 deities and only approx 300 acres of surplus came into purview Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) Act, 1961. Therefore, A.K. Banerjee the then Additional Collector on the 3rd of August 1971 passed the order that the deities were not left with any surplus land and proceeded to make a recommendation to the Government to grant exemption from the operation of section 5 of the Act. But the State Government did not agree and ordered to the effect that the 'alleged deed of arrangement dated the 20th of January, 1970 being neither a gift nor a deed of transfer must be ignored and Shri Mahanth Krishna Dayal Giri's trust' was considered to be the sole owner of the properties and was, therefore, 'entitled to only one unit under the ceiling law'.⁵⁶ And to this effect only 100 acres of land was allowed to retain and 1896.661/4 acres of agricultural land was declared surplus under the said Act. This action was challenged in an appeal to the District Collector of Gaya, who rejected the appeal by his order dated January 15, 1976. Aggrieved by this order the Mahanth further filed an appeal with the Commissioner, Patna who also rejected the same on 9th of July 1976. Again the Mahanth filed revision appeal before the Board of Revenue where the Mahanth only got some more exemptions and option to select the land to be retained in 12th of January 1977. Against this order the *math* moved to the High Court of Patna.⁵⁷

The *math* was where fighting the legal battle; a political movement in the background was taking shape for abolishing the 'zamindari' of the *math*. Alongwith J.P. Movement, Naxalites were very active in the region with a support base among the landless peasants. However, the *math* was aware of the voice of dissent against its *zamindari* from the time of Mahanth Shatanand Giri, who not only tried to make legal arrangements of dividing the properties among 17 deities but also tried to strengthen his political power by contesting Assembly elections from Gurua Assembly seat and opened some schools and colleges for making hold on the populace. Shri Mahanth Shatanand Giri College, Sherghati and a Sanskrit College of Bodh Gaya after his name are well established institutions in the present times. But these measures did not work for too long and Bodh Gaya became the seat of 'Total Revolution' [*Sampurna Karanti*] of Jay Prakash Narayan. In 1977-78, the Chatra Yuva Sangharsh Vahini formed by Jay Prakash [in 1975] organised agricultural laborers in Bodh Gaya and led a historic movement known as "Bodh Gaya Andolan" against the *math*.⁵⁸ Where the Chatra Yuva Sangharsh Vahini led the peaceful struggle for the purpose, the simultaneous Naxalite movement supported them by cutting down grains from the standing crops, popularly known as '*baali chhapayee*'. But the strange thing is that, at a time when the Mahanth was fighting legal battle with government to save its *zamindari*, administration was supporting the Mahanth against the revolutionaries. However, the government was under pressure and had to give up. The *math* sensing the situation started 'donating' the land to landless peasants.⁵⁹ Nearly 300 acres of agricultural land was thus 'donated'. The *math* ultimately lost its case against ceiling in Patna High Court on December 10, 1984.⁶⁰

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Nedumpara, Jose J, *Political Economy and Class Contradictions*, Anmol Publications Private Limited, Delhi, 2004, p.110.

⁵⁹ One important aspect of the Bodh Gaya Andolan was that the women who participated in the Andolan were successful, though lately, in getting '*pattas*' in their name contrary to the old Land Tenancy Act which did not allow women to own agricultural land see, Shafiqur Rahman Khan, "Women and Land Rights", <http://www.charkha.org/newsletter/datamay09/engfeaturemay01.html> accessed on August 27, 2009 also see his "Bhumi Adhikar Evam Mahilayei", http://diarybysrk.blogspot.com/2009/04/blog-post_01.html accessed on August 27, 2009.

⁶⁰ See, Judgment dated 10/12/1984 of Patna High Court in the matter of Mahanth Dhansukh Giri And Ors. vs State Of Bihar And Ors., www.indiankanoon.org

5. CONCLUSION

Mughal's idea behind patronising religious institutions was to make them propagandists for the empire, who can help them reach into the masses. They also acted as an agent of agricultural expansion and in no way, they can be rejected as 'parasitic' class. The *maths* like Jangambari, who imparted Sanskrit based knowledge and produced men of learning who manned Shaiva monasteries of Deccan and deep into the south also provided for lodging and food to the pilgrims and ordinary destitute. Bodh Gaya *math* was famous for its *sadabrit* or doling out charities to the poor. Such institutions were patronised by the Mughals by the same nature of grants; they did not discriminate between Hindus and Muslims. The British, on the one hand resumed a large number of grants of those who issued Proclamations against the British during the Uprising of 1857 and those who supported them were rewarded by making their *maufi* virtually a *zamindari* in the meaning of Permanent Settlement of 1793. On the other hand the Colonial rulers made a separate act for managing such grants to the Muslims; at first Waqf Act of 1923 and later in 1936, a further division of Sunni and Shia *waqf* was done.

CONFLICT OF INTERESTS

None.

ACKNOWLEDGMENTS

None.