

DARBHANGA

An Heir Splitting Legacy



THE STORY is as complicated as the whorls on a fingerprint, a ready-made screen-play bursting with grandeur, feudalism, pretension, and the tattered remnants of pomp and panoply. The theatre of this absurd epic, Raj Darbhanga in Bihar, has been reduced today to a threadbare relic of the fiefdom's old glory.

Darbhangha was once India's largest private land holding, a huge swathe of property that stretched from the Gandak in the west to the Kosi, in the east, and from the Himalayan foothills in the north to the Ganga in the south. Today, it has shrunk to a few palaces in Darbhanga town, 200 km north-east of Patna, property in a few other cities, and a rapidly diminishing treasury.

At the centre of the storm sweeping

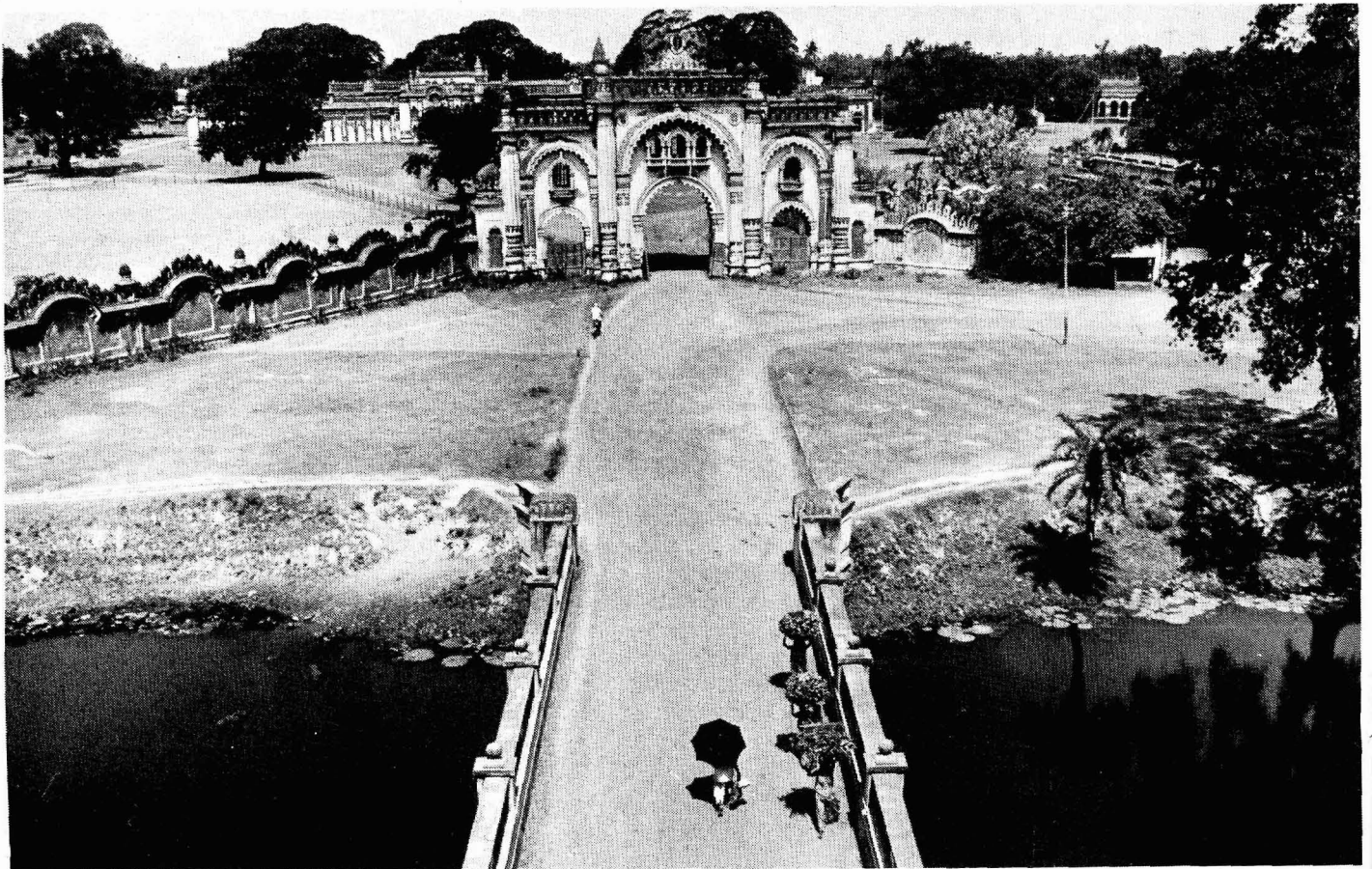
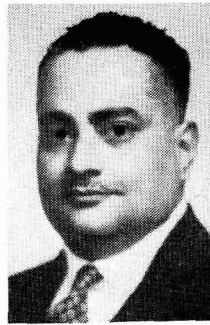
Darbhangha's remnants before it is the Falstaffian figure of Subheshwar Singh, 36. Youngest nephew of Maharaja Sir Kameshwar Singh Bahadur, KCIE, the last ruler of Darbhanga who died in October 1962, Subheshwar is pitted in a grim legal battle for control of the estate against the youngest and only surviving wife of the maharaja, Kamasundari Devi, 53.

Relentless Campaign: The quarrel erupted into the headlines earlier this year when Kamasundari's cause was championed by an unlikely candidate: Jagannath Mishra, chief minister of Bihar. Mishra had more than altruism in mind; Subheshwar happens to be managing director of Newspapers and Publica-

tions Limited, which owns two of the state's biggest newspapers, *Indian Nation* and *Aryavarta*.

The two papers had been waging a relentless campaign against Mishra's misgovernment. Seizing upon staff discontent and the management's failure to implement the Palekar tribunal's wage awards for journalists, Mishra subtly harassed Subheshwar by slashing government advertisements and fomenting more trouble. Subheshwar retaliated by threatening to enter politics (INDIA TODAY, February 28) and Mishra in turn said he had received reports that Subheshwar had plotted to kill the maharani.

Neither side was guiltless, but the fight has worsened in the following months. Styling themselves leaders of the Shrotriya sect of Brahmins, the Darbhanga rulers have for generations patronised their caste. Subheshwar, who was financing Maithili Brahmin Mishra's politics, withdrew his support, and Mishra reportedly ordered a



Maharaja Kameshwar Singh (top) and the ornate gateway to the palaces: a fiefdom in tatters

Central Bureau of Investigation (CBI) inquiry to find out what Subheshwar had done with the estate's awesome wealth, and why he failed to file financial returns for the estate.

The bulk of the Darbhanga wealth is administered by a three-member trust, and Kamasundari's spokesmen allege that Subheshwar, in connivance with the trustees, has steadily eaten into the estate's vitals. Once estimated at a fabulous Rs 500 crore, with real estate in Bihar and major Indian cities, a string of companies, and property in England and Switzerland, much of the Darbhanga wealth was slashed by the Zamindari Abolition Act of 1950. When the maharaja died in 1962, estate and wealth duties cut further into the fortune.

Big Assets: Even so, sources put the net worth today at over Rs 10 crore. Officially, the estate's books show a total worth of Rs 3.5 crore—and the sources allege that Subheshwar has played a major role in disposing of Raj property at low prices and without proper accounting, thus wilfully depriving the Darbhanga heirs of their rightful shares. Today, officially listed assets include roughly Rs 55 lakh in cash, jewellery valued at Rs 10.83 lakh, shares and securities totalling Rs 93.87 lakh, land and buildings worth Rs 66.64 lakh, and trusts holding money amounting to Rs 43.71 lakh. Quite a few of the palaces littering the Raj Darbhanga compound have been sold in order ostensibly to meet tax liabilities.

The Byzantine wrangle over the Darbhanga wealth stems from the maharaja's will. None of Kameshwar's three wives bore him any children. According to the rules of primogeniture (where the eldest male relative inherits the estate) the principal heir ought to have been eldest nephew Jeeveshwar. For some strange reason, however, Kameshwar favoured his youngest nephew Subheshwar over the other two.

The will stipulated that the eldest maharani, Rajyalakshmi, would inherit the Ram Bagh Palace, the largest of the lot; after her death in 1976 the palace passed on to Subheshwar. Kamasundari was given the smaller Nargauna Palace. Both widows (the maharaja's third wife died before him) were left outright bequests of Rs 8 lakh and Rs 12 lakh respectively, and two trusts of Rs 15 lakh each were set up for their benefit. Each widow was supposed to receive Rs 3,000 monthly from the income of the properties. After both maharanis died, the residual property would be split into three parts, one going to Subheshwar's children, the second to the children of the other two nephews, and the last into a trust for charitable purposes.

Trustee Changes: All the trusts were to be administered by three trustees, with Lakshmi Kant Jha, a cousin of the maharaja's and an ex-chief justice of the Patna High



Subheshwar with his 1932 Bentley: centre of the storm

Court, serving as executor and chief trustee. Jha himself was a controversial person: apart from leap frogging straight from a lowly law practice to the advocate-generalship of Bihar, and then to the chief justiceship, just before he died in 1978, the other two trustees "resigned", and he appointed his secretary Dwarka Nath Jha and the assistant manager of the estate, Durganand Jha, to their posts. After the executor's death, the two Jhas took in a third trustee.

Today, two of the three trustees are old and almost defunct, and Subheshwar's two older brothers have been outwitted right from the beginning. Jeeveshwar, 50, the oldest, calls himself an ascetic and disclaims all interest in the estate. Yajneswar, 38, the second brother, is ailing and half-demented. Circumstances therefore ensured that Subheshwar was the only male member of the family in a position to exploit the situation. Under his supervision, the trustees obligingly sold a string of lucrative real estate holdings.

The deals include the sale in 1968 of one palace, along with 80 acres of land, to the Posts and Telegraphs Department for Rs 22 lakh, and the sale in 1975, of 250 acres of land and two palaces to the Bihar Government for Rs 70 lakh for the L.N. Mishra Mithila University. Subheshwar now alleges that this sale was made under duress from chief minister Mishra during the Emergency. But this did not prevent the trustees from selling Nargauna Palace, which by rights belonged to Kamasundari, along with 100 acres of land to the Mithila University for Rs 31 lakh. "By mutual agreement," claims Subheshwar, "I gave the maharani 55 per cent of this money." He does not explain

how he sold a palace over which he had no claim until the maharani's death.

Donations: Subheshwar has also arranged the "donation" of thousands of antiques and artefacts to a museum that he says will hopefully be taken over by the Central Government; the take-over of the Rameshwar Singh archives, which contained revenue records of the Raj Darbhanga from 1860 onwards, by the Bihar Government; and the donation of thousands of rare books, most of them in Sanskrit, to the Kameshwar Sanskrit University, which is housed in another donated palace cheek-by-jowl with the Mithila University.

WHAT lends credence to allegations that Subheshwar and the trustees have engineered huge and badly accounted for liquidations of Darbhanga assets is a report submitted by B.K. Anand and Company, chartered accountants, to Kamasundari in July 1979. INDIA TODAY obtained a copy of the voluminous report, which was filed in the Calcutta High Court after the judge permitted Kamasundari's accountants to examine the estate books.

The most controversial portion of the report relates to the disposal of a large part of the estate's jewellery. All the jewellery was kept in the Raj treasury, and every time Kamasundari accompanied the maharaja on his trips abroad, she had to requisition the pieces she needed, and they were scrupulously entered in a register. When the accounts were examined in 1979, however, Kamasundari's register, along with those of the two older maharanis, was found missing.

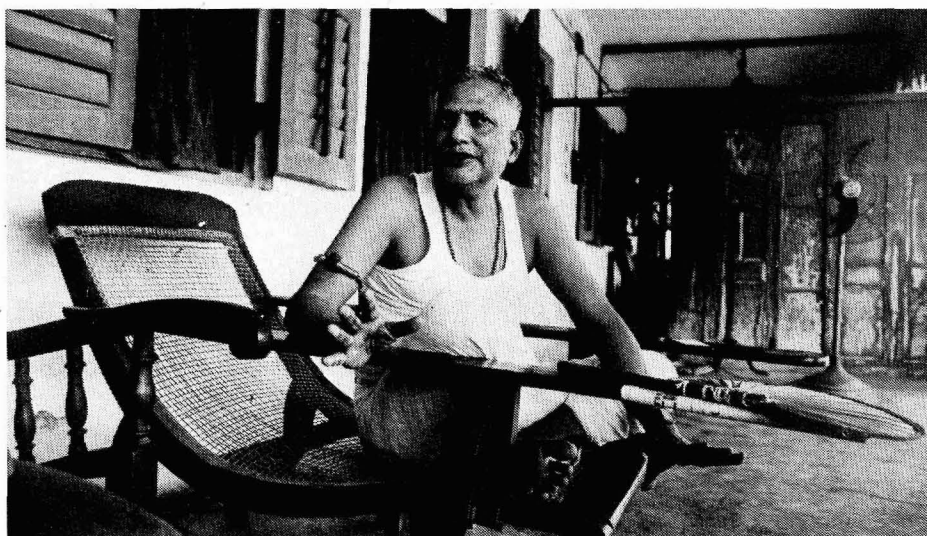
The largest lot of jewellery was sold in March 1967 for Rs 92 lakh to Nanubhai

Jewellers, Bombay. The trustees had informed the tax authorities that this bid was the highest among eight offers. But the auditors found in 1979 that one crucial sheet of paper listed as many as 14 bidders—two of whom, P.N. Dass and Sons, Calcutta, and Arun and Company, Varanasi, had made bids as high as Rs 1.20 crore and Rs 1.05 crore respectively.

Letters Discovered: What amazed the auditors even more was that while examining executor's file No 49 they discovered quite a few letters written in 1966-67 to Executor Jha by a Jaipur firm, Man Radio and Electricals Private Limited, which represented Van Cleef and Arpels, the famous New York jewellers. While the Indian bid-

worth Rs 26.07 lakh.

There are irregularities galore in the accounts, and they not only exhibit shoddiness in maintenance but also show that the books have not been properly audited for many years. During 1974-75, for instance, the estate sold its controlling interest in the Rameshwara Jute Mills Ltd, Muktapur, for Rs 45 lakh to Birla Brothers, Calcutta. The sale was ostensibly made because the income tax and wealth tax authorities had demanded payment of arrears of Rs 68.2 lakh, and the estate had no other means of raising the required money. But the accounts showed that the shares had fetched only Rs 37 lakh, the remaining Rs 8 lakh apparently being a 'donation' from the Birlas to the estate.



Trustee Dwarka Nath Jha: controversial jewellery sale

ders "examined" the jewellery for two weeks, the Jaipur firm, and then Claude Arpel himself, frantically cabled and wrote to Jha begging him to sell to the New York firm, tentatively offering as much as Rs 2 crore for what Arpel called "the famous Marie Antoinette necklace, Dhoolpur crown, Nepal necklaces and other fine emerald and diamond pieces". Arpel knew what he was talking about: in 1954 Kameshwar had invited him to India to evaluate the Darbhanga jewels.

The auditors noted that Dwarka Nath Jha apparently did not forward the Arpel letters at all to the executor. "The only notings (on the letters)," says the report, "are by Shri Dwarka Nath Jha (secretary to the executor)." The last noting, on March 28, 1967, has Jha telling his accounts assistant: "Please send a wire saying that it has been sold already." The auditors have noted other lapses in jewellery transactions. They found, for example that in 1975-76 no documents had been produced to support the sale of more jewellery

More intriguingly, only Rs 28.06 lakh was paid to the tax authorities. There is no explanation as to what use the remaining money was put to.

Other deals which the accountants questioned include the sale of the Darbhanga Sugar Company to the Government for compensation of one rupee, the sale of prime land along Bombay's Peddar Road (where the income tax quarters are located now) for only Rs 9 lakh, and the sale of Walford Transport Company in Calcutta. Optimistically, the estate's accounts even show a sum of Rs 3,67,897 as 'Malikana Zardasturat' (tribute paid by tenants to the zamindari) "due since last 26 years" from Muzaffarpur and Darbhanga.

Litigation: These irregularities have led to a spate of court cases filed by Subheshwar and Kamasundari against each other. In March 1978, soon after Executor Jha died, Kamasundari applied in the Calcutta High Court asking to be appointed executrix herself and challenging the continuation of the other trustees. She contended that the

executor's work ought to have been finished, the assets identified, the liabilities paid off, and the remainder distributed, with the balance looked after by a residuary trust. Kamasundari also pointed out that the two surviving trustees were both estate employees and could not be impartial.

Both the trustees filed a separate application saying the executor's work was complete, and that the estate ought to vest in the trust. A single-judge bench heard arguments and failed to give a firm ruling; instead, Justice Sabyasachi Mukherjee ordered a list of assets to be furnished, and vested the estate in the trustees. He also gave the maharani's accountants permission to independently inspect the estate's books.

Kamasundari had also been appointed sole trustee of the Kameshwar Religious Trust and the Sitaram Trust, which administered the various Darbhanga temples—they number 108. In 1979, Subheshwar filed two suits against the maharani's trusteeship in Darbhanga. In turn, she went in appeal against Mukherjee's ruling to a two-judge bench of the Calcutta High Court, but long after arguments have concluded, the court has yet to give its ruling. To date, there are 14 such cases pending in the Calcutta High Court; Subheshwar has filed four special leave petitions in the Supreme Court, against a court-appointed chairman of some Darbhanga-owned companies and against the will's interpretation. The maharani has also filed a suit in the Calcutta High Court for maintenance.



Subheshwar with his sons: uneasy inheritance

Claims: The will's interpretation has become a Gordian knot over the years. After L.K. Jha died, the other two trustees contended that Kamasundari had no stake in the residuary estate. Earlier, Kamasundari had also argued that the monthly sum of Rs 3,000 she was supposed to get was not from the Rs 15 lakh kept in trust, but in addition to that money. In 1980, a division bench of the

Calcutta High Court held that Kamasundari was entitled to one-third of the benefits of the residuary estate. Subheshwar appealed this, on behalf of his two minor sons, in the Supreme Court, and claims that he is fighting all the cases only for the benefit of his sons. Clause 4 of the maharaja's will had stipulated that Subheshwar's children could lay claim to their share only if their mother was a Brahmin. In 1965, Subheshwar faithfully followed this instruction. "Before that," he says, "I led a very fast life. Now my only weakness is drinking. Other weaknesses I left after marriage."

Dwarka Nath Jha, the only functioning trustee, was one of the two witnesses to the troublesome will. A cousin of the late maharaja, he says the disagreements are essentially "domestic", and says everyone ought to patch up. "A trustee's job in a situation like this is thankless," he says. "I don't get a farthing for it." But Jha refuses to discuss the controversial jewellery sale in which he figured so prominently, saying only that Subheshwar knows the details.

Recently, Jha and Subheshwar fell out with each other when Jha filed a complaint with the Company Law Board against the working of Newspapers and Publications Ltd. "My only aim," he says, "is to ensure good management and the appointment of an effective board of directors." The company's losses have crossed Rs 10 lakh, and Subheshwar says he is looking for a buyer for the *Indian Nation* and *Aryavarta*.

Classic Decline: In Delhi, Kamasundari's adviser Gobind Misra says that the maharani is determined to fight Subheshwar to the end. To the old retainers in Darbhanga, Subheshwar represents a destructive force, the wayward heir possessed by a death-wish driving the glory of the Raj into the ground.

Subheshwar on his part insists that he has committed no irregularities. "All this is a conspiracy hatched by Jagannath Mishra," he says. "I will soon enter politics and challenge that Maithil on his home ground, Jhanjharpur." He plans to eventually join the Communist Party of India (Marxist). "Jyoti Basu will be the next prime minister of India," he says with a straight face, "and I will send both my sons to Russia or China so that they get a socialist education."

In every way, Darbhanga provides a classic study of the decline and fall of India's feudal ruling class. Dishonesty, intrigue and dissipation have gnawed its grandeur to the bone, and the surviving family members now quarrel rancorously over what remains. Tucked away in Bihar's heat and dust, amid mango and lichi orchards, Kameshwar Singh's tattered legacy has fallen prey to the indiscreet charms of the bourgeoisie.

—CHAITANYA KALBAG in Darbhanga

THE FAMILY

Genteel Ruins

THE DARBHANGA rulers were not really unto the manor born.

The title 'Maharaja', as well as the estate's vast properties, was bestowed on Mahesh Thakur, a priest, in the late 16th Century by Mughal emperor Akbar (1556–1605) for some obscure favour. Situated 200 km north-east of Patna, not very far from the Nepal border, Darbhanga is today a dusty, crowded town that flows into another settlement, Laheriasarai. Darbhanga is a corruption of the words 'Dwar Bangla' (gateway to Bengal).

Litigation seems to run in the Darbhanga veins. Maharaja Kameshwar Singh retained a stable of solicitors

Reduced Life-style: His eldest brother Jeeveshwar, although an avowed *sannyasi*, married twice—the second time informally, and now lives with wife and five daughters in one of the estate's dilapidated bungalows. Yajneshwar, the second brother, lives with his wife and three sons in a seedy portion of the European Guest House. He gets only Rs 1,100 a month from the estate, and lies all day in a large room strewn dirtily with books, listening to the radio. "The rani should behave with more character," says Jeeveshwar the ascetic. "She should fight Subheshwar and take over the estate. I advised her not to sign the probate of the will."

Today, the remaining Darbhanga palaces are in a state of disrepair. The Ram Bagh Palace, once the largest among the lot, is now neglected and



Yajneshwar, the middle brother: seedy existence

—apart from 16 Rolls Royces—and fought many cases before the Privy Council in England. His uncle Lakshminshwar Singh had been the founder-president of the Bihar Landowners' Association. Kameshwar himself challenged the Zamindari Abolition Act, 1950, in the Supreme Court, and won—thus paving the way for India's First Constitutional Amendment.

A member of the Rajya Sabha during the 1950s, Kameshwar was asked by Jawaharlal Nehru to join the Congress Party. He refused—because each Congressman had to take an oath not to imbibe liquor, and the zamindar was fond of his spirits.

The same flamboyance—and recklessness—appears to have been inherited by Subheshwar. A large man, Subheshwar tends to wear florid dressing-gowns, a lot of talcum powder, and a persistent hangover. His relative youth has allowed him to outwit and outmanoeuvre his older opponents.

overrun by monkeys. Only the eldest queen's *puja* room is tended by an old priest. Subheshwar lives with his family in an outhouse, occasionally taking his 1932 Bentley—which he claims he inherited from his father—out for a spin.

Chauffeur Shival Shah, who once drove singer K.L. Saigal's car in Bombay, now looks after the remnants of the once-impressive Darbhanga car collection—two Rolls Royce Phantoms, worth at least Rs 30 lakh, an ancient Bentley, and a Daimler 50 horsepower saloon with a 'George V' body that Shah says will fetch at least Rs 8 lakh today.

The trustees some years back flouted court orders by selling railway tracks that once ran right into the palace compound, as well as a saloon car, for a paltry Rs 25,000—and had to apologise in court when Kamasundari objected. Kamasundari herself lives in an apartment in Delhi, rarely venturing outdoors. She is still *pardahnashin*, and does not meet any outsider.