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Pratyush Kumar – Madan Mishra (Eds.)

Recollections and Reminiscences of a Long Life
by Dr. Sachchidanand Sinha

Ergon

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Portrait of Dr. Sachchidananda Sinha.
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Preface

Dr. Sachchidnand Sinha was a constitutionalist in the league of Indian public leaders in the latter half of the nineteenth century and the early years of the twentieth. Much against his family's wishes, he became the first "Bihari" Hindu to be called at the Bar in London in 1893; member of the Imperial Legislative Council (1910-1912); played a prominent role in Bihar's separation from Bengal in 1912 and Orissa's (now Odisha) separation from Bihar in 1936; the only Indian anywhere in the British Indian Empire to ever hold the position of Finance Member of the Governor's Executive Council in Bihar (1920-1926); leader of the opposition in Bihar (1930-1936); Vice Chancellor of Patna University (1936-1944); and, a journalist of repute associated with newspapers like *The Indian People* and *The Leader* of Allahabad, *The Behar Times*, *The Beharee*, and *The Searchlight* of Patna; founder-editor of *Kayastha Samachar* since 1900 which became *The Hindustan Review* from 1903 which he continued editing and publishing till his death in 1950.

Dr. Sachchidanand Sinha was an important constitutional leader in India before the entry of Mahatma Gandhi, Swami Sahajanand Saraswati and Netaji Subhas Chandra Bose who turned India's struggle for independence into a mass movement from the 1920s by bringing the peasantry and working classes who constituted the bulk of Indian population into the mainstream. Despite distancing from the Indian National Congress in 1920, Sachchidanand Sinha remained active in public life in different capacities by being part of the British Indian government and its limited representational bodies for Indians. It is worth noting how as an elderly statesman and the oldest living parliamentarian he became the Interim Chairman of the Constituent Assembly of India for the first two days of its sitting in December, 1946.

Dr. Sachchidanand Sinha had started writing his autobiography titled "Recollections and Reminiscences of a Long Life" serialized in monthly installments of his journal *The Hindustan Review* almost every month from July, 1946 until December 1949. Considering the pioneering and important role Dr. Sinha played in India's public life in the last years of the nineteenth century and the first half of the twentieth, locating his unpublished autobiography in the archives and in the collection of the volumes of *The Hindustan Review* at the Sinha Library in Patna came as a surprise to us. But it also offered us the opportunity to publish it as a single volume for the very first time. We collected, compiled and edited it over several years as a single volume with a detailed and contextualized introduction for the first time before readers in 2022 brought out by our friend, Mr. Pankaj Sharma, proprietor of Anamika Publishers located in New Delhi. We are thankful to him for that. We are also extremely grateful for the positive and encouraging foreword by Prof. Dr. Domenico Francavilla,

from the University of Turin, Italy and to Prof. Dr. Mahendra Prasad Singh, former Head of the Department of Political Science, University of Delhi, India, for writing its afterword.

This current edition is being brought out in an open access format by the leading German publisher Nomos in its series Bibliotheca Academica – Rechtswissenschaft (Historical Law Studies) for a wider audience across the world who are interested in India's legal, cultural and constitutional history. We have thoroughly revised this volume by revising the introduction, contextualizing and adding references to the text wherever Sinha made references to secondary literature, adding a glossary, preface and a detailed index. In order to emphasize on a subject or a generally exalted view of government and governmental institutions, Sinha often used capital letters and we have let it remain despite differences in style and diction. Few sentences are incomplete or disjointed because the original pages were brittle and broken and could not have been reconstructed.* The editors apologize to their readers for this for no fault of theirs. We are extremely grateful to Dr. Vanessa Schaeffner of Nomos publishers for all her help and assistance in bringing out this work.

Last but not the least, the editor Pratyush Kumar would like to thank his Doktorvater Prof. Dr. Gunther Teubner for his constant support and guidance and the Humboldt Stiftung for its generous support to pursue research without any let or hindrance. Both the editors are thankful to their respective families for their unstinted support.

* The editors have to locate a library or archive other than Sinha Library or Bihar State Archives, both located in Patna, which might have all the issues of *The Hindustan Review* from 1946 till 1949. The Library at the Prime Ministers' Museum and Library (earlier Nehru Memorial Museum and Library) in New Delhi has issues of *The Hindustan Review* to which the editors did not have access in order to cross-check the few passages with brittle pages. Perhaps the "India Office" in London might also have issues of the said journal for the relevant period to which the editors did not have access so far. Maybe, it can be rectified in the future if the editors are able to locate all the original volumes of the said period.

Foreword by Prof. (Dr.) Domenico Francavilla*

It is a great honour and a pleasure for me to write this foreword for the autobiography of Dr. Sachchidanand Sinha, *Recollections and Reminiscences of a Long Life*, which is now published thanks to the work of Pratyush Kumar and Madan Mishra. The reader will be able to observe an extraordinary life through a dense, precise, and insightful description of personal and collective facts, of small and epochal events, which are strictly interlinked and provide a vivid account of the various threads that composed the life of Dr. Sinha.

Dr. Sinha wrote these pages with an admirable style, which is always interesting, sometimes ironical, never complacent. As expected, the first part places his life on the firm roots of his origins, by describing the province, district and place of birth, the ancestral home and family, the influences – and legacy – of his parents and home. His description of the intellectual and moral background and of the education he received at home and school, and then at Patna College, show the formative steps of a personality who was a thoughtful intellectual who never detached knowledge and ethics.

From this grounding an extremely active life emerges in the public sphere, at the political level meant in its broader sense. The many experiences, among which the Congress Deputation of 1914, the Deputy-Presidentship of the Central Assembly, the Presidentship of the Provincial Legislative Council (1921-1922), the career as a Member of Government (1921-1926), as the Leader of the Opposition (1930-1936), and the Vice Chancellorship of Patna University (1936-1944), show a sharp and calm mind dealing with the responsibility of the roles he played and the intricacies of politics.

The book provides a personal perspective on many places, from Patna to Calcutta, from Delhi to London, and on many people of his time, including Lieutenant-Governors and Governors, Viceroys and British Royalty. Dr. Sinha can convey with few words the spirit of an epoch and the personality of the prominent figures he met, and a particularly interesting picture of relationships between communities, for instance the Indians and the British, the Muslims and the Hindus.

Dr. Sinha was the first President of the Constituent Assembly of India. His long life brought him until the dawn of the new India coming out of the colonial period. As a lawyer, journalist, educationalist and stateman he provided a contribution to the spirit of an "India on the move", an expression by Pandit

* Prof. Dr. Domenico Francavilla is a renowned Professor of Comparative Law, Comparative Private Law and Indian Legal System at the University of Turin, Turin, Italy with authored books like '*The Roots of Hindu Jurisprudence*' (which is acclaimed all over the world) and '*Il Diritto nell'India Contemporanea*' to his credit, apart from many other edited and co-edited volumes to his credit.

Nehru he quotes in the inaugural address to the Constituent Assembly, which he ends with the wish that the "proceedings may be marked not only by good sense, public spirit, and genuine patriotism, but also by wisdom, toleration, justice, and fairness to all; and above all with a vision which may restore India to her pristine glory, and give her a place of honour and equality amongst the great nations of the world" (Constituent Assembly of India Debates, 9th December 1946).

As a final word, the Western knowledge of India has often been very abstract and stereotyped. An additional reason to read this book is that, through the story of a prominent Indian as Dr. Sinha was, it shows once again the infinity of facets and nuances in the intellectual and practical life of India.

Torino, December 2021

Contents

Introduction: Dr. Sachchidanand Sinha: Life and Mission and the Creation of Modern Bihar

By: Pratyush Kumar with Madan Mishra

1. Historical-Cultural Background

Dr. Sachchidanand Sinha was a constitutionalist in the league of Indian public leaders in the latter half of the nineteenth century and the early years of the twentieth. His moment in history and the defining act which ensured his place in modern Indian history was helping out carve Bihar as a separate province of the British Empire in 1912 after nearly two centuries of being clubbed along with Bengal. The aspirations of the small but significant, influential and articulate, English-educated intelligentsia of Bihar drawn primarily from upper class Bihari Muslims and Hindu Kayasthas could not have been met if Bihar remained in the periphery of Bengal province and anything but remote from the metropolitan location of Calcutta, the imperial capital and the second city of the empire, second only to London. The domination of the Bengali literate class not just in Bengal proper but also in Bihar was met with consternation by those Biharis who became beneficiaries of or those who adopted modern English education.[1] This was coupled with the lack of proper administration or the real problems in administering not just geographically but even demographically larger region of Bihar as compared to West Bengal (after the partition of Bengal in 1905 during Lord Curzon's viceroyalty). This is notwithstanding the fact that the Bengal Presidency including Bihar (including today's Jharkhand),

[1] Some demands were of course just but in the zeal to point out the injustices it also smacked of petty provincialism, which in post-independent India, is a matter of serious concern for national cohesion and national identity formation. "In 1898 the disproportionate number of Bengali officials in the Education departments came in for severe criticism by the *Behar Times*. In 1899 the affairs of the Calcutta University and non-appointment of Biharis as officers in the different Estates of the region were discussed. The absence of any role for the Biharis in the administration of Calcutta University, the poor number of Bihari fellows in it and the non-inclusion of Hindi in its curriculum came in for censure. The paper in its different issues also detailed the process through which bengalis had come to monopolize all important posts in the Hathwa raj. This fact and the fact that an overwhelming share of ministerial posts was also held by them were (sic) heavily criticized and justice was demanded for the people of Bihar. Demands for a better representation of the Biharis in different branches of administration were made. In the case of judicial appointments, it was submitted that all the posts that existed in Bihar should go to the Biharis 'the children of the soil'. It went to the xtent that even in matters like the conferment of titles people of Bihar were seen to be neglected." Cf. Narendra Jha, The Making of Bihar and Biharis: Colonialism, Politics and Culture in Modern India c. 1870-1912, New Delhi: Manohar, 2012, pp. 178-179.

Bengal, Orissa and Assam was too big a province to be administered under one under-staffed administrative unit. But the partition of Bengal on apparent communal lines was a colonial mischief which sowed the seeds of the future partition of India. On the other hand, Bihar as a region had seen its golden period a number of times in the past and it was made to mourn its own loss of not just regional but also cultural and linguistic identity according to Sinha.

Ancient learning in Sanskrit still remained in Bihari hinterland, more specifically so in North Bihar with special emphasis on grammar and Nyaya philosophy.[2] Learning in Persian and Arabic still persisted. The fact that Raja Ram Mohun Roy had his initial education in Persian and Arabic in Patna from the age of seven till the age of twenty-two is a pertinent historical fact. It surely must have left an imprint on his personality and must have shaped his ideas for social reform. It should also be noted that at this point of time the condition of women in general and widows in particular, was better in Bihar than that in Bengal.[3] An absence in any recorded instance of sati in the region which constitutes Bihar should not be lost on intellectual historians. All the social malpractices related with Kulinism which resulted in huge number of child widows who were either burnt or reduced to a life-long state of penury and destitution in widow-houses in Kashi and Mathura was virtually absent in Bihar. All this would have shaped the personality of Raja Ram Mohun Roy who spearheaded the modern awakening of India and Hindus starting from native Bengali speakers in the colonial capital of Calcutta.

Post Battle of Buxar in 1764, Bihar was slowly but surely losing out on the race with an emergent Bengal, which though suffered a lot due to colonialism, but also benefitted in creating a whole contingent of educated middle class Hindu Bhadralok who staffed the lower rungs of administration in the British Empire and constituted almost the entire lot of modern trained teachers, lawyers, professors, magistrates and so on. Educationally, especially for these 'modern' colonial jobs with English education as a necessary condition precedent, which were created, Bihar remained backward.[4] Bihar being a large area

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[2] Bihar had made immense contribution to Sanskrit scholarship from ancient times, but there was a decline by the 18th and 19th centuries due to a general decline of Bihar. Big feudal lords like Darbhanga, Bettiah, Hathwa, Tekari and Banaili kept promoting Sanskrit scholarship but as the prominence of Bihar had declined so had its scholarship. *See*: S.C. Banerji, Contribution of Bihar to Sanskrit Literature, Patna: K.P. Jayaswal Research Institute, 1973.

[3] Ashis Nandy goes to the extent that Sati started happening only after the coming of the British and that too was confined to colonial Calcutta or at best in the adjoining regions of Bengal. See: Ashis Nandy, Sati: A Nineteenth Century Tale of Women, Violence and Protest cf. Ashis Nandy, At the Edge of Psychology: Essays in Politics and Culture in Exiled at Home, New Delhi: Oxford University Press, 2008, pp. 1-31.

[4] "There was apathy towards the progress of English education in Bihar, and the office for promotion of English education at Patna was known as '*Shaitan ka dafter*' (office of the Devil). It was only after 1859 that zilla schools were established at Patna, Arrah and Chapra and the hill school was established at Bhagalpur. In 1863, the districts of Deoghar, Motihari, Hazaribagh and Chaibasa got one school each. The zilla schools opened by the government,

also providing huge revenue was an important outlying region of this new and resurgent Bengal providing employment and trade to a large number of native Bengali speakers. Patna which used to be a thriving inland port on river Ganges until eighteenth century lost its economic relevance. Such was not the case with Assam, whose separation from Bengal did not receive much attention at this point in time. However, the separation movement of Bihar from Bengal was vehemently opposed by native Bengali speakers, both in Bengal as well as in Bihar. These native Bengali speakers in Bihar also dominated its public sphere and their mouthpiece was the journal *Behar Herald* which had a huge circulation and was led by one of the tallest public person in the latter half of 19th century in Bihar Mr. Guru Prasad Sen who represented the views of Bengal and ran the *Behar Herald* and opposed tooth and nail the separation of Bihar from Bengal.

2. Sachchidanand Sinha's biography

It is in this backdrop Sachchidanand Sinha was born on November 10, 1871, at Arrah town in the old district of Shahabad, now Bhojpur, in a respectable family. His ancestral village was Murar, also in the old District of Shahabad, now falling in Buxar district. His grandfather, Bakshi Shiv Prasad Sinha (1790-1870) was the chief revenue officer of the Maharaja of Dumraon and his father Bakshi Ramyad Sinha (1831-1897) was the chief pleader of the Maharaja of Dumraon.[5] He inherited a large library from his father where he developed the habit of reading and a liberal environment from his parents which made him go a step further against his family's wishes by taking a 'voyage across the seven seas' to

to begin with, were not popular, because the people were apathetic and social prejudices and misgivings stood in the way. No wonder that attempts to establish a college at Patna had failed twice during the first half of the nineteenth century. [] in the years following the revolt of 1857, some public interest in education began to develop and Patna college was founded with five students only in 1863. At the outset, it is significant to note, the college had an insignificant number of Bihari students, and it was only by 1899 that there were 216 Biharis as against 85 Bengalis among the students. The second college in Bihar, the T.N.J. College, Bhagalpur was affiliated as a second grade college in 1887 and as a first grade college in 1890. The third college, B.N. College was affiliated as a second grade college in 1889 and as a first grade college in 1892. The Bhumihar Brahman College at Muzaffarpur was opened in July 1899 and it was raised to the degree standard in 1900. But this time were also established St. Columba's College at Hazaribagh by the Dublin Mission, the D.J. College Monghyr (a second grade college) and Nalanda College, Bihar Sharif, a second grade college. Thus Bihar came to have some educational centres only by the end of the nineteenth century." Cf. Sitaram Singh, The Separation of Bihar from Bengal, in P.N. Ojha and U. Thakur (eds.), A Peep into Seventyfive Years of Bihar (Souvenir), Patna: Bihar Research Society, 1987, pp. 1-2.

5 Yuvraj Dev Prasad, Dr. Sachchidanand Sinha – The Dream Achiever of Bihar (1871-1950) in Abhilekh Bihar (Journal of the Bihar State Archives), Ank – 8 (Vol. 8), Patna: Bihar Rajya Abhilekhagar Nideshalaya (Bihar State Archives), Government of Bihar, pp. 132-154 (at p. 132).

study in England and marry Radhika Devi (1894) from Lahore who was outside his sub-caste.[6] In his village Murar near Buxar, the neighbourhood occupied by his ancestors was known as the "Lakhnaua tola" giving the impression that they might have shifted from Lucknow to Bihar.[7] This might have been one of the reasons for Sinha's life-long cultural affinity more with United Provinces rather than with Calcutta and Bengal. He maintained two houses: one in Allahabad and one in Patna.

Sachchidanand was a member of the Imperial Legislative Council from 1910-12; the Finance member (perhaps the first Indian) of the Governor's Executive Council from 1920-26; leader of the opposition from 1930-36; as an educationist he became the Vice-Chancellor of Patna University from 1936-44; a journalist of repute associated with newspapers like *The Indian People* and *The Leader* of Allahabad, *The Bihari*, *The Behar Times* and *The Searchlight* of Patna; he was founder-editor of *Kayastha Smachar* since 1900 which became *Hindustan Review* from 1903 which he continued editing and publishing till his death in 1950 (he was rigorous and fastidious in publishing articles of great merit by contributors from across the country). His commitment to human dignity is seen when he tried to institute jail reforms (like stopping flogging of prisoners) when he was member of the Government in charge of jails; he was the first to start the cooperative movement in Bihar; he was associated with the Indian Library Movement and set up the famous "Radhika Sinha Institute and Sachchidanand Sinha Library" in Patna, he was associated with Khuda Baksh Oriental Library in Patna (also acting secretary for sometime) and the Imperial Library at Calcutta besides enriching the Patna University Library during his Vice-Chancellorship. Thus he was an eminent journalist, lawyer, administrator, statesman and educationalist.

Sinha became the first Chairman of the Constituent Assembly of India, and on the very first day he was introduced by Acharya J.B. Kripalani to the august assembly which framed India's Constitution in the following words: "Friends, at this auspicious occasion of historical importance I invite, on your behalf, Dr. Sachchidananda Sinha to be the temporary Chairman of this Assembly. Dr. Sinha needs no introduction. You all know him. He is not only the oldest among us but also the oldest parliamentarian in India, having served, as you know, as a member of the Imperial Legislative Council from 1910 to 1920. He entered the Central Legislative Assembly in 1921 not only as one of its members, but its Deputy President also. He was then entrusted with the portfolio of an Executive Councillor and Finance Member of the Government of Bihar and Orissa. So far as I remember Dr. Sinha was the first Indian who was ever appointed as a Finance Member of a Province. He has a particular taste for education having been Vice-Chancellor of the Patna University for eight years.

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6 *Ibid* at pp. 132-133.
7 *Ibid* at p. 132.

Over and above all this, Dr. Sinha is the oldest Congressman among us. Up till 1920 he was a member of the Congress, being at one time its Secretary."[8] Sinha's own inaugural speech was most instructive and set the tone for the debates and writing the provisions of the future Constitution of India.

3. Movement for the Separation of Bihar

In the movement for separation of Bihar from Bengal, Dr. Sachchidanand Sinha was given unstinted support since the beginning of the movement by Mr. Mahesh Narayan[9] who also functioned as the editor of *The Behar Times* and then *The Biharee* till he died at a relatively young age of 43 on August 1, 1907. Apart from Mahesh Narayan, the movement in its inception also received support from Nand Kishore Lal, Rai Bahadur Krishna Sahay, Sir Ali Imam, Sir Hasan Imam and a few others. This is, of course, in its initial stages from 1894 till about 1903 when the movement for separation kept on growing from strength to strength.

By Sachchidanand Sinha's own admission the whole story of separation began when he was asked to show his British and Indian friends while in London as to where the geographical location of Bihar was on the map of the world after he had replied belonging from the place of Bihar. Later, seeing a sturdy Bihari with a tag of Bengal Police on his uniform as soon as he returned from England to his native place of Bihar, further humiliated and insinuated him and became

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[8] Constituent Assembly Debates (Official Report), Vol. I, New Delhi: Lok Sabha Secretariat (Sixth reprint), 2014, Monday, the 9th December 1946, p. 1.

[9] "Mahesh Narayan (1859-1907) occupies a pre-eminent position among the list of eaders who led the Biharis' struggle for a distinct identity. This 'Maker of Modern Bihar' was born in the Babhangama village of the Santhal pargana district and was educated at Bhagalpur, Patna and Calcutta. While in Patna he studied at the Patna College and after doing entrance went to Calcutta where he gave up studies while still a student of B.A. [...] An ardent lover of Hindi he wrote with great ability in that language, most of his writings being published in the *Bihar Bandhu*. His journalistic career began as an apprentice to his elder brother whom he helped in editing the *Mushire Bihar*, a weekly. When the *Indian Chronicle* was established he began by writing in it and later became both its sub-editor and editor. The paper devoted its columns to the airing of the supposed grievances of educated Biharis in their claim for employment. This vantage point gave an unique opportunity to him to get fully conversant with the problems of Biharis. However, by 1888 the *Indian Chronicle* got merged with the *Behar Herald*, which had been a mouthpiece of the Bengali community in Bihar. Mahesh Narayan now launched the *Kayastha Gazette* (1888) and began rendering service to the cause of social reform of the community. However, after this paper ceased publication in 1891 he started editing the *Shahabad Gazette* and his reforming spirit was in full evidence when he defended Sachchidanand Sinha, the first upper caste Bihari to have gone to england, who was facing hostile reception when he returned home in 1893. Mahesh narayan, too, like his elder brother participated in the Indian National Congress sessions. In 1890 he participated as a delegate of the Bihar People's Association." Cf. Narendra Jha, The Making of Bihar and Biharis: Colonialism, Politics and Culture in Modern India c. 1870-1912, New Delhi: Manohar, 2012, pp. 160-161.

a powerful symbolism and a trigger factor for his liberal, learned, enlightened, cultured and constitutional response of creating the province of Bihar.[10] His was a constructive response to the inferiority complex and humiliation which he had to suffer.

In 1896, when the Lieutenant Governor of Bengal, Sir Alexander Mackenzie visited Gaya, he was handed over a memorial prepared by the duo (Sinha and Mahesh Narayan) demanding for the separate province of Bihar. The proposal was not just shot down but also rejected in principle with a remark, "It must have been a silly reason for the Behar and other papers to have taken up this question. They have apparently nothing more useful to discuss. It is the last thing likely to happen within our time. Neither the Government of India nor the Secretary of India for State is likely to propose the creation of another lower government in upper India." Mr. Guru Prasad Sen hailed this decision of the Lieutenant Governor through his mouthpiece, the *Behar Herald*.

After this setback, from 1896 to 1903, i.e., for almost seven years Mahesh Narayan and Sachchidanand Sinha kept creating awareness through *The Behar Times* for the creation of the separate province of Behar (now called Bihar). They were relentless in their effort to create public opinion and reasoned through their impassioned appeals and editorials for the separation of Bihar from Bengal. They did not approach the government of the day with another proposal or memorandum during these seven years. Another dividing feature was how the movement for the separation of Bihar did not receive any media attention in the Calcutta papers, whether English or Bengali language papers. It is only the papers and journals run by Anglo-Indians and Britishers who gave media attention to the subject.

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[10] "This was forced on my attention during my stay in London, as a student, during the early nineties of the last century, when I made the painful and humiliating discovery that not only was Bihar a *terra incognita* to the average Britisher, and to even the retired Anglo-Indians, but also to the majority of the Indians there. Some of my Indian friends, in Britain, even challenged me to a literary combat, and dared me to point out any such province as 'Bihar' in any recognized textbook of geography. It would be difficult for me to convey to the Biharees of today the sense of shame and humiliation which I, and some other equally sensitive Biharee friends, felt while prosecuting our studies in Britain, on realizing that we were a people without any individuality, without any province to claim as ours; in fact, without any local habitation with a name. the sense of this painful conviction was, if anything, intensified when on my return to India, early the year, 1893, at the very first railway station in Bihar, I noticed a tall, robust and stalwart Biharee constable wearing the badge with the inscription "Bengal Police". It almost embittered my feelings of joy and gratification on my return home, after an absence of more than three years abroad. But as if it were by an impulse, I resolved then and there to do all that lay in my power to secure for Bihar distinct and honourable status as an administrative unit, with an individuality on the same footing as that of the more important provinces in the country. In one word, this was to be thereafter the mission of my life, and its realization the greatest source of inspiration permeating my public activities." Sachchidanand Sinha, Some Eminent Bihar Contemporaries, Patna, 1944, pp. ii-iii; The Hindustan Review, December, 1912, pp. 527-28.

The thrust of the movement for separation was of course led by Sachchidanand Sinha, but the biggest watershed was the partition of Bengal in 1905 orchestrated by Lord Curzon. It created the biggest schism in Bengali public opinion and public sphere. There was increasing radicalism and a lot of revolutionary organizations were erupting in Bengal proper which was perpetrating acts of violence against the British government as well as British citizens and officials in the province. Bengal had completely come in the grips of the Swadeshi movement which was propelled by its opposition to its partition into West and East Bengal. It diverted the attention of Bengalis from the demands of separation of Bihar from it. The region of Bihar and its public-men remained aloof from the historic movement taking place in Bengal against its partition. The rough treatment meted out to Bihari leaders and public-men propelled this response to the Bengali situation.

The earlier plan of shifting some eastern districts of Bengal to Assam was changed to the partition of Bengal into two halves. Those six years of partition of Bengal, from 1905 to 1911 when it was revoked, is intrinsically connected to the success of the separation of Bihar from Bengal. The public sphere and public mood in Bengal was reeling under the weight of partition and anything but reunification of West and East Bengal would have assuaged its feelings. The master-stroke was done along with the shifting of capital of British India from Calcutta to Delhi, the older Mughal capital of India which was more centrally located and a move which was supported by all the other provinces of the British along with the princely states which used to proffer huge revenues to the British Government.

Not to say the least about how it was a master stroke of Dr Sachchidanand Sinha to have recommended the name of Mr. Syed Ali Imam (later 'Sir')[11], a highly successful and illustrious Bihari lawyer at the Calcutta High Court, and a childhood friend, as a Law Member in the Viceroy's Executive Council succeeding Barrister S.P. Sinha (later Lord Sinha when he got peerage) in 1910. This is also the year when Dr. Sinha was himself a member of the Imperial Legislative Council and came in direct contact with the Viceroy, Lord Minto. It is in this capacity, when Lord Minto evinced an interest in having a Muslim succeeding Lord Sinha as the Indian Law Member in the Government of India,

[11] Imam, Syed Ali (1869-1931); belonged to a famous Shia family Neora, Patna; who was among the first Indians and perhaps the first 'Bihari' to receive English education; educated at Arrah and Patna; went to england, 1887; called to the Bar, 1890; started practice at Calcutta High Court, 1890; Trustee M.A.O. College, Aligarh, 1908; President, All-India Muslim League Session, Amritsar, 1908; fellow, Calcutta University 1909-12; member, Bengal Legislative Council 1910-15; Vice-President, All India Muslim League Session, Delhi 1910 and Lucknow, 1916; resumed practice at Patna High Court, 1916; Judge, Patna High Court, 1917; member, Governor's executive Council, Bihar and Orissa, 1918-19; First President of Executive Council, Hyderabad State, 1919, resigned 1923; member, All Parties Conference Committee, 1928; took part in the Civil Disobedience Movement, 1930-31; President, Swadeshi league of Patna, 1930 and Nationalist Muslim Conference, Lucknow, 1931.

Dr. Sachchidanand Sinha immediately mentioned the name of Mr. Ali Imam. This is also the time when the name of Justice Davar of the Bombay High Court was being pressed upon by the Home Member, Sir John Jenkins. Dr. Sinha reasoned against Justice Davar on two grounds: (a) A High Court judge should not have any further expectation of a higher office; (b) Justice Davar was the judge who had sentenced and convicted Mr. Bal Gangadhar Tilak[12] and his appointment would be unpopular in the "politically minded classes". This is also the time when nationalists and popular leaders were opposed to the Morley-Minto reforms of 1909 and the government wanted to tread cautiously. One major reason for opposition to it by all the major nationalist and Congress leaders was the introduction of separate electorates for Muslims whereas some important Muslim leaders through the platform of the Muslim League had pressed for it and the government "relented", or at least that was the reason offered by the government. The Viceroy, Lord Minto must have thought of having a Muslim law member because a Hindu of the stature of Mr. S.P.Sinha had already been appointed as a law member and he thought it only fair that an able Muslim should be appointed as a law member. Dr. Sachchidanand Sinha, being an astute politician knew that for the best interests of Bihar as well as fulfilling this requirement of a Muslim Law member, Mr. Ali Imam would be the most suitable candidate. In his Presidential Address to the Bihar Provincial Association at Bhagalpur in 1909, Dr. Sinha while discussing the issue of separate electorates had opposed it on ideal grounds but yet accepted it as part of the functioning of politics and as a matter of contingent "compromise" to reach a higher goal.

Being a constitutionalist and a moderate, his speech at Bihar Provincial Conference 1909, Bhagalpur all through evinced a lot of hope and trust in the British Government of the day.[13] Of course, there are two ways of reading it. One, in a literal sense of him placing his trust on the government and practicing something called "constitutional mendicancy" to bring about administrative reforms to ameliorate the lives and conditions of the teeming millions of his yet-to-be province of Bihar as part of overall and collective national progress and also considering the British rule as something given and trying to wheedle and work through it.

The other reason was perhaps even deeper, as he knew the kind of opposition he had to face from the formidable Bengali leadership, press and populace which was mostly unkind and ignored such a demand at best and opposed it bitterly at its worst. In such circumstance, if Bihar in its modern provincial

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12 The hugely popular Nationalist leader, also the leader of the extremist wing and commonly referred to as *Lokmanya*.

13 *The Beharee*, April 16, 1909, cf. Ashok Aounshuman *et al* (ed.), The Making of a Province: Select Documents on the Creation of Modern Bihar 1874-1917 Part I, Patna: Directorate of Archives (Government of Bihar), 2013, pp. 513-534.

avatar had to be created at all, it could never have been done by opposing an even more formidable British Government. With rise in education and rise in public awareness Bengalis were increasingly getting restive with the British rule with instances of revolutionary violence no longer remaining just isolated incidents by fringe groups. With the partition of Bengal, this spark was fanned into a smouldering fire. It is also to the credit, or discredit as one would like to read it, to leaders like Dr. Sinha that Bihar which had seen series of oppositions to the British from 1757 to 1857-58 (and some even later) remained largely aloof from the Swadeshi Movement in Bengal.[14] Some Bengalis in Bihar tried to create awareness or themselves took part in it but Biharis stood mostly unaffected and largely aloof and indifferent to the Swadeshi movement as Bengali leaders were indifferent to the purportedly legitimate demands for the separate provincehood of Bihar.

Sachchidanand Sinha was elected to the Imperial Legislative Council in 1910 and it coincided with the resignation of Sir S.P. Sinha as law member of the executive council.[15] Lord Minto, the Viceroy was now keen to have a Muslim as a law member and Sinha immediately suggested the name of Ali Imam, who was initially reluctant but due to Sinha's entreaties that this office might help facilitate in creating the separate province of Bihar, finally got persuaded to become a Law Member in the Viceroy's Executive Council.[16] George V intended to hold a Darbar at Delhi in the style of Mughal Emperors and wanted to 'grant boons' on the occasion. Leaders of Bengal submitted a memorial for rescinding the partition of Bengal proper and Bihari leaders made an appeal for the separation of Bihar from Bengal.[17] The British government had now become conducive to the idea of separation of Bihar from Bengal.

Sinha himself records, "In the autumn of 1911, I was at Shimla for the Imperial Legislative Council session, and was staying with Mr. Ali Imam at the "Inverarm". His Majesty the King had already announced his intention of coming to India during the cold weather to hold a Durbar, at Delhi, at which to proclaim his accession as the Emperor of India. The whole of India was astir at the time,

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14 Kali Kinkar Datta, Biography of Kunwar Singh and Amar Singh, Patna: K.P. Jayaswal Research Institute, 1984; Vijoy Kumar, On the Threshold of Provincehood (1900-1911), Patna: Rahul Smarak Lekhak Sahyog Samiti, 1985; JHA, Jagdish Chandra Jha, The Tribal Revolt of Chotanagpur (1831-1832), Patna: K.P. Jayaswal Research Institute, 1987; Ashok Aounshuman, Resistance Against the Company Raj: With Special Reference to Bihar and Jharkhand (1757-1856), *Indian Historical Review*, *49*(1_suppl), 2022, pp. S32-S55; J.N. Sinha, The Raja, The Rebel and the Monk: Fateh Sahi's War Against the East India Company, Gurugram: Penguin, 2025.

15 Sachchidanand Sinha, Some Eminent Behar Contemporaries, Patna: Himalaya Publications, 1944, pp. XXVI-XXVII (Introduction).

16 *Ibid* at pp. XXVI-XXIX (Introduction).

17 Y.D. Prasad, Dr. Sachchidanand Sinha – The Dream Achiever of Bihar (1871-1950). In: Abhilekh Bihar (Journal of the Bihar State Archives), Ank-8 (Vol. 8), Patna: Bihar State Archives (Government of Bihar), pp. 132-154 (at p. 137).

and all classes and communities were looking forward to boons on the occasion of the Durbar. One day, the late Mr. Mohammad Ali came to see us, and had a long talk on various subjects. Amongst other things he said that it would be a good thing if the king would declare Delhi to be the permanent capital of the Indian Empire. At this Mr. Ali Imam grew suddenly excited, and said that it was a mad and foolish proposal which no British Government would even consider seriously, as Delhi was a dilapidated and decayed place, past all restoration and redemption. [] After Mr. Mohammad Ali had gone, I said that there was no occasion for the excitement Mr. Imam had betrayed, unless the question was one likely to be considered in connection with the territorial changes in Eastern India, consequent on the popularly-expected smoothing down of the great unrest caused by the partition of Bengal. He looked hard at me, smiled and said; "You think you are very clever. Are you?" I said: "I think, I am". He continued:- "You will live to laugh at the wrong side of the mouth, but" – he added quickly – "get a couple of copies of your pamphlet on the separation of Bihar. I would like to go through it once again." Some days later, when giving him the pamphlets, I said, "I earnestly hope that while you are the Law Member, the Biharees will receive at the hands of the king the greatest boon they desire and deserve, a province of their own." He laughed and said: "You are an inveterate dreamer, well, you may go on dreaming." After the Council session was over, and I was thinking of returning to Patna, Mr. Ali Imam said:- "Assuming that there are to be any territorial changes, you do not and cannot expect that Bihar will be endowed with an Executive Council – which she now shares with West Bengal, when neither Agra and Oudh, nor the Punjab, has got any such institution. If I ever brought up a proposal like that, I would be laughed at for my foolhardiness by my colleagues." [] I said: "You should urge it on the ground that in the reconstituted Bengal, in which Bihar is the predominant partner, there is already an Executive Council, and the Biharees, therefore, are entitled to an Executive Council even when their province is a separate administration." He said: "Well, that is easier said than done." I said: "I would think over the matter, and see if I can assist you." Accordingly, I looked into the various books on Constitutional Law, and felt satisfied that the expression "in council" added to the word "Governor" or "Lieutenant-Governor" could only mean an Executive Council, and not a Legislative Council. I also felt that this distinction was subtle and technical, and would not probably be discovered easily – if at all – by the Civilian and the Military members of Governor General's Council, who very probably would construe the expression "Governorship in Council" or "Lieutenant Governorship in Council" as implying a Governor or Lieutenant Governor with a Legislative Council, and not an Executive Council. So I felt I had succeeded in possibly solving this difficult matter, provided it could safely run the gauntlet. I communicated this view of the question to Mr. Ali Imam, and suggested that instead of making a formal

proposal for an Executive Council for Bihar – if the matter at all came up for consideration – he should make it a point to use in all his notes on the subject the expression "Lieutenant-Governor in Council", which would then very probably pass muster with his colleagues, without eliciting any controversy. [] Mr. Imam doubted whether his collegues were so dull-witted, but concurred with me that the experiment was worth trying, if ever the question came up for consideration. He strictly stuck to his oath of secrecy by not at all disclosing to me that the question was at that very time being actually considered, almost daily, by the Governor-General and his Executive Councillors, - and that too most seriously. And though I too suspected it, I did not for obvious reasons press the matter any further. At last on that memorable day in the history of modern Bihar (the 12th of December, 1911) His Majesty the King-Emperor announced at the Delhi Durbar the formation of Bihar and Orissa under a Lieutenant-Governor in Council!"[18]

It was a master stroke of Sachchidanand Sinha for suggesting a "Lieutenant-Governor-in-Council" of Bihar, which in its technical meaning would mean both to have an Executive Council as well as a Legislative Council something which was absent both in United Provinces and the Punjab but was present in Bengal (and through Bengal, Bihar was also enjoying the benefits of such an institution both as part of Bengal until 1912 and later after its separation due to the specific suggestion by Sinha to Sir Ali Imam).[19]

Therefore, we see a host of historical factors which coalesced together leading to the constitutional creation of Bihar.

4. The Autobiography

After Sachchidanand Sinha's return to Patna from Delhi where he had become the interim chairman of the Constituent Assembly of India, he started writing his autobiography titled "Recollections and Reminiscences of a Long Life" serialized in the monthly issue of the journal *The Hindustan Review* which he had founded and edited for close to half a century. He published it from July, 1946 until December, 1949 after which he became too sick to continue. He died on March 6, 1950. The April, 1950 issue was the last issue of *The Hindustan Review* which contained obituaries and reminiscences for him. Thus, his autobiography remained incomplete. And, as such, it is this incomplete autobiography which we brought before the readers for the first time. This work should be read alongwith his other works, more particularly with his "Some Eminent Behar

[18] Sachchidanand Sinha, Some Eminent Behar Contemporaries, Patna: Himalaya Publications, 1944, pp. XXIX-XXXII (Introduction).

[19] *Ibid* at pp. XXX-XXXII (Introduction).

Contemporaries" to piece the history of the separation of Bihar from Bengal, among other aspects of modern Indian history.[20]

The autobiography gives a peek into the history and culture of what constitutes Gangetic North India. It is also a kind of social history of one of the most urbanized and "modern" communities of Hindu Kayasthas. We have chapterized it into twenty-one chapters starting from his birth till he recorded the events during his tenure as the Leader of the Opposition, from 1930 to 1936. Although, in between he also recorded the main highlights of the period of his Vice Chancellorship of the Patna University (1936-1944) which is chapter fifteen of the current volume. His work also shows the cordial relations which Hindus and Muslims, more particularly Hindu Kayasthas and Bihari Muslims, enjoyed with each other. Therefore, it is not surprising how the two combined their forces for the separation of Bihar from Bengal. One also notices an incorrect homogenized understanding of the culture of Bihar and Eastern Uttar Pradesh in his understanding. It also shows the Bhojpuri-Magadhi cultural slant in his understanding. His thinly concealed dislike for Bengalis and the social tension of Kayasthas and Brahmins is betrayed in the autobiography. His unstinted allegiance with the British Empire and his positive estimation of the changes brought about by "colonial modernity" remains unfazed till the end. It is interesting that his understanding of Vedantism is linked with liberal western rationality with geneaological roots in David Hume and Edmund Burke and not in Indian social reform movements of Brahmo Samaj, Arya Samaj or that of Swami Vivekanand whom he does not mention even once in his autobiography. Quite understandably, in a colonial vein he writes with disdain about some Indian cultural practices, including deity worship, with superstition and social malpractices. In sum, he is indeed a man of his times and provides the mental makeup of individuals of his socio-cultural circumstances.

5. In Retrospect

One of allegations leveled against Dr. Sinha is how he carved out a whole province of Bihar, in opposition to Bengal and Bengalees dominating the public life and the colonial jobs created in the province, to accommodate his community of upper caste Hindu and English educated Kayasthas. Of course, among the Hindu communities of Bihar, Kayasthas were the first to adopt English education in a big way and had the highest percentage of English literates in Bihar at the turn of the nineteenth century along with upper caste Muslims who had an even higher percentage of literacy and would in ordinary

[20] Sachchidanand Sinha, Some Eminent Behar Contemporaries, Patna: Himalaya Publications, 1944.

circumstances be an even bigger beneficiary.[21] Upper caste Bihari Muslims and Hindu Kayasthas were undoubtedly the supporters and beneficiaries of Bihar movement in its early years.[22] Besides, the Anglo-Indian Press and the even the British government in Bihar pandered and promoted the idea of a separate state of Bihar to avoid any kind of revolutionary influence from Bengal – during

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21 "In the name of increasing employment for Biharis, the Bihari-Bengali feeling was whipped up in which the Anglo-Indian press played an important rolebecause of its animosity towards the Bengali middle class. Naturally some of the Bihari newspapers also adopted an anti-Bengali tone. The *Murg-i-Saleman* of Monghyr (7 February, 1876), for example gave the call 'Bihar for the Biharis', in the context of large employment of educated Biharis. Similarly, the *Qasid*, another Urdu paper of Bihar, condemned the union of Bengal and Bihar as detrimental to the interest of Bihar (22 January, 1877)." Cf. Sitaram Singh, The Separation of Bihar from Bengal, in P.N. Ojha and U. Thakur (eds.), A Peep into Seventyfive Years of Bihar (Souvenir), Patna: Bihar Research Society, 1987, p. 3.

22 "There was also a new factor by this time in the social life of Bihar. At this time we have the rise of caste organizations in India with their branches in this province (sic, region) also. In 1887, the All India Chitraguptavamshiya Kayastha Mahasabha came into existence with which the Kayasthas of the Hindi-speaking areas came to be associated. Thus Bihar, still a part of Bengal Presidency, administratively and politically, came to be associated socially and culturally with other Hindi speaking areas. It was not an accident that Sachchidanand Sinha, the editor of the *Kayastha Samachar* at Allahabad, came to be associated with the movement for the separation of Bihar from Bengal. […] In 1901, Sachchidanand Sinha shifted the *Kayastha Samachar* from Allahabad to Patna and rechristened it as the *Kayatha Samachar* and *Hindustan Review*. The movement for the separation of Bihar from Bengal gathered momentum and it was advanced as the only alternative to the partition of Bengal, the plea being that it was only thus that the entire Bengali speaking population could be kept together and the administration could also be relieved of some of its burdens and tightened up. […]
As has been pointed out earlier, the Kayasthas together with the Muslims were spearheading this movement for the separation of Bihar from Bengal. The Government itself helped the holding of the third session of the All India Kayastha Conference at Bankipore on 5 and 6 November, 1889. Boswell, the Commissioner, Patna; Finder, District Magistrate; Cowley, Superintendent of Police and the Municipal Commissioners of Patnaas well as the Inspector-General of Police, Bengal, all helped to make it a success. Ewbank, the Principal of Patna College, closed the college and collegiate school to enable Kayastha students to attend the Conference. [] Within a decade local sabhas were set up in most of the towns. The Bihar Provincial Sabha was established at Bankipore. A Kayastha Pathshala was established there and steps were taken to set up a boarding house at a considerable cost. The Bihar Provincial Kayastha Sabha had a substantial means of income. A Kayastha Trading Company was established at Arrah with a view to encouraging the community to take to commercial and other professions. It was primarily a social movement, but gradually the social aspect of the movement receded into the background. [] Since the movement had helped them to act as an organised community, they began to make their infuence felt on local politics. The anti-Bengal attitude of the government in Bihar was taken advantage of Till 1893 the movement was for all practical purposes confined to four persons – Mahesh Narayan, Nand Kishore Lal, Krishna Sahai, Sachchidanand Sinha (all Kayasthas)." Cf. Sitaram Singh, The Separation of Bihar from Bengal, in P.N. Ojha and U. Thakur (eds.), A Peep into Seventyfive Years of Bihar (Souvenir), Patna: Bihar Research Society, 1987, pp. 4-6. Also, *See*: V.C.P. Chaudhary, The Creation of Modern Bihar, Patna: Yugeshwar Prakashan, 1964. The whole set of primary documents on the 'creation' of Modern Bihar have been published by the Bihar State Archives. For more, *See*: Ashok, Aounshuman, et al (eds.), The Making of a Province: Select Documents of the Creation of Modern Bihar, 1874-1917, Vols. I, II and III, Patna: Bihar State Archives, Government of Bihar, 2013.

the Swadeshi Movement when Bengal proper was burning Bihar was in relative peace.[23] In the late-nineteenth and early-twentieth centuries, the leadership of Bihar was pro-British and the colonial administration responded in kind which was in sharp contrast due to the numerous revolts and insurrections in which Bihar and Biharis had taken part earlier (like the "great revolt" or the "first war of Indian independence" in 1857), another reason for the step-motherly treatment of the region of Bihar (apart from it being in the periphery and far away from the colonial capital Calcutta).[24]

The Bihar movement was gradually receiving an ever widening approval by not just the literate community but even among some segments of the rural landed aristocracy of Bhumihar Brahmins, Maithil Brahmins and Rajputs. There was an increasing realization that not just their future but the future of the entire populace of Bihar lay in having a separate province for themselves. Like there was a "drain of wealth" from India to England, there definitely was a "drain of wealth from Bihar to Bengal" as highlighted by Sinha. Such a separation was also good for administrative reasons as the Bengal Presidency was indeed huge both in area as well as population and it was difficult to administer remote and diverse areas from Calcutta. Therefore, caricaturing a statesman like Dr. Sinha for creating a state of Bihar only for Kayastha community of lawyers and job seekers in the empire is nothing but obscurantism and narrow

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23 "At a time when the Bengali educated middle class was agitating for constitutional reforms and the extremist wing was resorting to direct action, and even appealing to the cult of the bomb, the nascent educaated Bihari middle class was significantly reticent, loyal and trying to win the favours of the British masters. It was not unexpected that when the partition of Bengal drove its patriots to the pitch of passionate protest and indignation, and did not leave nationalists untouched and unaffected in other parts of the country, the adjoining province (sic, it was still a region) of Bihar, being *tertius gaudens*, showed little excitement at the event in terms of any protest." Cf. Sitaram Singh, The Separation of Bihar from Bengal, in P.N. Ojha and U. Thakur (eds.), A Peep into Seventyfive Years of Bihar (Souvenir), Patna: Bihar Research Society, 1987, pp. 4-5.

24 The efficient former Director of Bihar State Archives, Vijoy Kumar writes, "Coming to the specific problems of Bihar, the selections of the book make it amply clear that she badly needed technical education, more modern schools and colleges and the vernacular medium of instruction to make the minimum necessary social and material progress but due share and opportunities were denied. She received step-motherly treatment even in matters of the allotment of funds for education. The reason appears to be obvious. Imperialists patronised such sections and regions which served colonial interests but modern Bihar had a turbulent past on nationalistic lines in the nineteenth century which challenged the imperial authority and colonial exploitative socio-economic order. The Sontal (Santhal) Insurrection, the Kol revolt, the 1857 uprising, the Wahabi movement and the Birsa movement are some of the important national movements of Bihar in the century which challenged the imperial authority and the exploitative socio-political and economic structure. As a consequence, the imperial wrath found its expression in the step-motherly treatment. [...] Imperial rulers did not propose to educate the people of Bihar to a standard which helped them unfurl the flag of national revolt as they had done in the past. They appeared to be bent upon teaching them a lesson for their past rebellious character lest germs of patriotic fire flared up again." Cf. Vijoy Kumar, On the Threshold of Provincehood (1900-1911), Patna: Rahul Smarak Lekhak Sahyog Samiti, 1985, pp. xi,xiii.

–mindedness of such writers. If we take such preposterous arguments of the creation of the state of Bihar was only for Kayasthas, then on the same analogy the freedom of India was meant only for Brahmins, Kayasthas and Banias and the new breed of lawyers. In the historical progression of any society, the ones who adopt education in a big, positive and constructive way are the natural beneficiaries. But as time progresses, they do not alone remain the beneficiaries as time alone testifies to it. We see how immediately after the Champaran Satyagraha where Kayastha leadership of Bihar had played a prominent role, but by the time of Non-Cooperation Movement and thereafter Bhumihar Brahmins[25] and Rajputs emerged in a huge way in the rank and file of leadership in Bihar. Therefore, the allegation of Sachchidanand Sinha not opposing the separation of Orissa from Bihar again for the interests of Kayasthas is absolutely not well-founded. By 1936, in the provincial leadership of Bihar, Bhumihar Brahmins and Rajputs had completely eclipsed the Kayasthas and the relevance of Dr. Sinha remained only as an elder statesman of the province who enjoyed immense respect from the people of Bihar. And even otherwise, a person who wanted dignity and respect for the people of his province of Bihar because of which he helped create it could not have opposed the creation of another province of Orissa with its own set of aspirations which corresponded to the aspirations of Bihari leaders from 1894-1912. Dr. Sinha knew Orissa to have its own glorious past and distinct cultural and linguistic history for him to oppose the creation of the separate state of Orissa. There was not the slightest amount of bitterness in the separation of Orissa from Bihar when compared to the slight bitterness when Bihar and Orissa separated from Bengal to say the least. Even

[25] Much to the chagrin of landed aristocracy like Sir Ganesh Dutt Singh and others, who were loyalists to the British Empire and through the All India Bhumihar Brahman Mahasabha wanted to keep both their loyalty to the empire and their vast landed interests intact, Swami Sahajanand Saraswati records in his autobiography *Mera Jivan Sangharsh*, "It is in fact the case that at the time of the Non-Cooperation movement, nearly 75 percent of political prisoners were Bhumihar Brahmans, and more or less the same percentage of the boys who had given up their studies in the schools and colleges to enter the movement were also Bhumihars. […] And it is noteworthy that Bhumihar Brahmans, as a community had been very much in the forefront of the movement to raise the country's self-respect and prestige to new and higher levels. Men like Sir Ganesh and others felt aggrieved at these developments, but there was little they could do." Cf. Walter Hauser with Kailash Chandra Jha (ed. and trans. Swami Sahajanand Saraswati's Mera Jivan Sangharsh (My Life Struggle), Culture, Vernacular Politics and the Peasants, New Delhi: Manohar, 2015, p. 265. For more, *See*: Pratyush Kumar, Swami Sahajanand Saraswati: Social Reforms and Democratic Praxis, In: Himanshu Roy, Mahendra Prasad Singh (eds.), Indian Political Thought: Themes and Thinkers, Noida: Pearson, 2020, pp. 354-371; Pratyush Kumar, A Kisan at the Crossroads of History, Politics and Law: Political Thought and Action of Swami Sahajanand Saraswati, Südasien-Chronik - South Asia Chronicle 11/2021, SüdasienSeminar der Humboldt-Universität zu Berlin (South Asia Chronicle, 2021, Humboldt University, Berlin, Germany), pp. 179-215, also available at: https://www.iaaw.hu-berlin.de/de/region/suedasien/publikationen/sachronik/11-focus-kumar-pratyush-a-kisan-at-the-crossroads-of-history-politics-and-law-political-thought-and-action-of-swami-sahajanand-saraswati.pdf (last accessed: April 21, 2023).

on this ground, it should be considered an act of statesmanship and political astuteness which laid foundations for national unity in the long run. Unlike the bitter separation of Andhra Pradesh from the erstwhile Madras province or the recent separation of Telangana from Andhra Pradesh the separation of Bihar and Orissa from Bengal and then separation of Orissa from Bihar has been a legal and constitutional success story of Modern India.

In fact, it is one moment in history when both Hindus and Muslims aligned together completely to create the state of Bihar which was in the best interest of Biharis without adversely affecting the interests of Bengal which had already been enthroned as the state leading the renaissance in India right from the days of Ram Mohun Roy. Had it not been for Dr. Sinha's recommendation of appointing Sir Ali Imam as the Law Member in the Viceroy's Executive Council and then the intervention of Ali Imam himself accepting Dr. Sinha's contention verbatim for creation of the separate province of Bihar with a lieutenant Governor in Council (which Dr. Sinha read legally to include not just the Legislative Council but even the Executive Council, something which not even the United Provinces enjoyed) is a sufficient proof of Hindu-Muslim unity for a larger public cause. And it was not just Ali Imam but even Sir Hasan Imam, his younger brother and the saintly, "Gandhi of Bihar" Maulana Mazharul Haque without whose contributions it would have been impossible to create the province of Bihar in 1912. It is not a mere coincidence that in 1910, there were two Bihari members of the Legislative Council of the Government of India headed by the Viceroy: Maulana Haque and Dr. Sinha. Maulana Haque had defeated strong Muslim candidates from across the country to emerge victorious in the Muslim representation brought about by the Morley-Minto reforms and Dr. Sinha also got elected getting 16 votes which was equal to the major Bengali candidate,....., and after defeating four Maharajas who had immense clout across the country apart from being close to the British Indian Administration, they being: Maharaja Rameshwar Singh of Darbhanga, Maharaja Ravaneshwar Singh of Gidhour, Maharaja Manindra Chandra Nandi of Kassimbazar and Maharaja Padyot Kumar Tagore. Therefore, two Biharis got elected out of four seats in the Legislative Council assigned to Bengal.

Dr. Sinha emphasized in articles after articles as well in his different speeches and addresses on: (i) expansion of elementary education; (ii) having a full-fledged university in Bihar; (iii) having its own High Court; (iv) allocation of more government funds to private institutions and colleges; (v) opening up of a medical college and engineering institutions; (vi) improvement in sanitary conditions in the state, and so on. All these beneficial measures in administration of any state and society cannot just cater to one particular community. Therefore, the insinuation against him of serving the vested interests of his own community of Kayasthas is preposterous. A community which barely constitutes one percent of the population of the state of Bihar would always know that

with an expanding social base of education its own preeminence would keep shrinking and it did start shrinking within Dr. Sinha's own time. The state leadership was completely wrested by the landed and more numerous Bhumihar Brahmins and Rajputs. Yet, in terms of leaders who had a national presence were Dr. Sinha, then Dr. Rajendra Prasad and finally Jayaprakash Narayan and not the provincial stalwart duo in Dr. Sri Krishna Sinha or Dr. Anugraha Narayan Sinha. Dr. Sri Krishna Sinha and Dr. Anugraha Narayan Sinha gave excellent administration to the province of Bihar but in terms of their reach and influence they remained provincial leaders. It was a rather more radical Swami Sahajanand Saraswati in the organized peasant movement in the country who was undoubtedly a national leader[26]; or a Yogendra Shukla was a national leader in the revolutionary movement[27]; or a Basawon Singh (Sinha) a revolutionary

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26 Swami Sahajanand Saraswati (1889-1950) was a leading figure of India's struggle for independence since 1920 and the most important leader of the first organized peasant movement in the country since the establishment of West Patna Kisan Sabha/West Patna Peasant Union in 1927, then Bihar Provincial Kisan Sabha in 1929 and then the All India Kisan Sabha in 1936 leading to the abolition of zamindari/landlordism without compensation in the country soon after independence. Along with Bal Gangadhar Tilak, Mahatma Gandhi and Subhas Chandra Bose, he transformed India's struggle for independence into a mass movement with the involvement of peasants who constituted (and still constitute) the majority of the Indian population. Pratyush Kumar, A Kisan at the Crossroads of History, Politics and Law: Political Thought and Action of Swami Sahajanand Saraswati, Südasien-Chronik - South Asia Chronicle 11/2021, SüdasienSeminar der Humboldt-Universität zu Berlin (South Asia Chronicle, 2021, Humboldt University, Berlin, Germany), pp. 179-215. (Also available at: https://edoc.hu-berlin.de/bitstream/handle/18452/24857/11%20-%20Forum%20- %20Kumar%2c%20Pratyush%20- %20A%20Kisan%20at%20the%20Crossroads%20of%20History%2c%20Politics%20and %20Law.pdf?sequence=1&isAllowed=y (last accessed: Nov. 2, 2022); Walter Hauser, The Bihar provincial Kisan Sabha, 1929–1942: a study of an Indian peasant movement, New Delhi: Manohar, 2019; Walter Hauser with Kailash Chandra Jha, Culture, Vernacular politics and the Peasants: India 1889–1950, New Delhi: Manohar [edited translation of Swami Sahajanand Saraswati: Mera Jivan Sangharsh (My life struggle)], 2015; Walter Hauser, Swami Sahajanand and the peasants of Jharkhand: a view from 1941, New Delhi: Manohar [edited translation of Swami Sahajanand Saraswati: Jharkhand ke Kisan, with the original Hindi text, and an introduction, endnotes and glossary], 2005; Walter Hauser, Sahajanand on Agricultural Labour and the Rural Poor, New Delhi: Manohar, 1994; Ramchandra Pradhan, The struggle of my life: autobiography of Swami Sahajanand Saraswati. New Delhi: Oxford University Press, 2018; Ramchandra Pradhan, Reminiscences and Struggles of the Kisan Sabha (Swami Sahajanand Saraswati), New Delhi: Primus, 2025; Ramchandra Pradhan, What Should Peasants Do? (Swami Sahajanand Saraswati), New Delhi: Primus, 2025; Ramchandra Pradhan, Major Addresses (Swami Sahajanand Saraswati), New Delhi: Primus, 2025; Ramchandra Pradhan, Major Essays and Other Writings (Swami Sahajanand Saraswati), New Delhi: Primus, 2025.

27 Yogendra/Jogendra Shukla/Shukul alias Sohan Singh or Bhai or Rahorji (1896-1960) – born in vilage Jalalpur, Lalganj police station of Muzaffarpur district, now Vaishali; read upto matric in village primary school, Lalganj middle school, and Greer Bhumihar Brahman College,Muzaffarpur; came under the influence of Acharya J.B. Kripalani with whom he spent many years in the Punjab and United Province (now Uttar Pradesh)and smuggled arms; tried to escape to America by getting a porter's job in Calcutta in a ship but failed in his efforts; came in contact with Chandrashekhar Azad and other revolutionaries in Benares; arrested in Faizabad in the middle of 1923, lodged in Benares Jail where one day he caused consternation by entering into the water tank of the jail, released after a fortnight; became a member of the

and a national trade union leader[28]. But these three of Swami Sahajanand Saraswati, Yogendra Shukla or Basawon Singh essentially worked outside the system and with the years rolling after Indian independence their names and contributions have not even been mentioned leave alone being written about in great detail. The peasant movement slipped into caste disintegration and the larger interests of peasants remain ignored; the revolutionary movement for independence had fizzled out in colonial India itself and Yogendra Shukla got erased from larger public memory; and with systematic deindustrialization in eastern India including Bihar along with the opening up of Indian economy in 1991 and the systematic elimination of leadership, scope, and relevance of trade unions the name of Basawon Singh has been thrown into the dustbin of history.

Central Committee of the Hindustan Socialist Republican Army (HSRA) after its formation, 1928; convicted in Tirhut Conspiracy Case and transferred to Cellular Jail, Andamans in December, 1932; joined the Congress after his release in 1938 and elected Vice Chairman, Muzaffarpur District Congress Committee, 1938; later joined the Congress Socialist Party; arrested in 1940; became a member of the Central Committee of the All India Kisan Sabha; scaled the walls of Hazaribagh Central Jail in 1942 and along with Suraj Narayan Singh helped four others including Pandit Ramnandan Mishra and Jayaprakash Narayan escape; arrested inMuzaffarpur, December 7, 1942; lodged in Buxar jail, released April, 1948; nominated as a member of the Bihar Legislative Council, 1958 on behalf of the Praja Socialist Party and continued there till 1960 when he died as a blind and sickman in a government hospital after sufering years of torture during British Rule. N.M.P. Srivastava, Struggle for Freedom: Some Great Indian Revolutionaries, Patna: K.P. Jayaswal Research Institute, 1988, pp. 176-192.

28 Basawon/Basawan/Basavan Singh/Sinha (1909-1989) – alias Ram Basawan Singh alias Lam bad, a name among revolutionary circles given by Yogendra Shukla for being very tall; one of the prominent socialist leaders in the country; took part in the Non-Cooperation Movement 1920-22; joined Dacca Anushilan Samiti, 1922; joined Hindustan Republican Army, 1925 and then was the founding member of the Hindustan Socialist Republican Army (HSRA), 1928; participated in revolutionary activities and imprisoned several times; was a prominent member of Jogendra Shukul's revolutionary organization and worked closely with Barindra Ghosh and Bhupendranath Datta; absconded in the Tirhut Conspiracy Case, arrested in Patna, August 6, 1930, along with Keshab Chandra Chakravarty, a alose friend and notorious Bengal revolutionary; escaped from Bankipore Jail, August 9, 1930; rearrested in Calcutta on September 25, 1930; accused in Tirhut Conspiracy Case and sentenced for six-and-a-half years in prison only to be released in 1936; had started a fast-unto-death against cross-bar fetters which continued for a record 57-days and the British Indian government was forced to accept his demand; joined Congress Socialist Party,1936; organised labour and peasant movements; formed the Rohtas Industries Mazdoor Sangh at Dehri-on-Sone in 1938 and nearly 500 trade unions over the course of his life and spreading across Assam, Bengal, Bihar (including today's Jharkhand), Madhya Pradesh (including today's Chattisgarh), Odisha and Uttar Pradesh; set up the Tata Collieries Labour Union along with Subhas Chandra Bose, became it's President after Bose left the country in 1941; participated in the Quit India Movement, 1942; arrested 1943, released 1946; associated with the All India Railway Men's Federation, its Vice President, 1946; in independent India was member, Bihar Legislative Assembly, 1952-57, 1957-62 and 1977-79, and Bihar Legislative Council, 1962-68 from the Congress Socialist Party (never changed his party but the party changed names over the years); Cabinet Minister, Government of Bihar, 1967 and 1979; absconded and headed the Jan Sangharsh Samiti (People's Resistance Council) against internal emergency imposed by Indira Gandhi's government during 1975-77; died on April 7, 1989. Gayatree Sharma, Basawon Singh: A Revolutionary Patriot, New Delhi: Anamika, 2022.

But the names of Dr. Sinha for having created Bihar; of Dr. Rajendra Prasad for helping and assisting Gandhiji in Champaran Satyagraha in 1917-18 till the framing of Indian constitution and then emerging as the first President of India and Jayaprakash Narayan working 'in the pale image of Mahatma Gandhi and Acharya Vinoba Bhave' apart from helping restore democracy and constitutional rights by challenging Indira Gandhi's emergency have all been acts of national leadership. The coincidence of all three belonging to the community of upper caste Hindu, educated, city-bred community of Kayasthas reflects their preeminence in providing leadership and anchorage to Biharis. This is not say they did not have their own limitations which is a matter of another enquiry, all three were national leaders and their contributions is immense in shaping the destiny and discourse of modern India. Therefore, getting back to Dr. Sinha, this insinuation against him is just a canard and should be overlooked.

Dr. Sinha kept on insisting through his writings and along with his compatriots kept on voicing through the *Bihar Times* and the *Biharee* on the cultural and linguistic differences between Bihar and Bengal as one of the reasons necessitating their separation, and if at all, Bihar was closer to the United Provinces than to Bengal. Of course, Bihar as a Mughal Subah or Province had a separate existence apart from reaching pre-eminence for a shorter duration during Sher Shah Suri without going into the ancient hoary past. This was the living memory of Bihar and Biharees. But in terms of culture and language, even though Bihar is not that large in area; it has at least five major linguistic-cultural groups being: Magadhi, Bhojpuri, Angika, Vajjika and Maithili. And whether it was the educated city-bred professionals or Muslim aristocrats who supported the separation, they came essentially from the Magadhi-Bhojpuri cultural region. There were very few, if any, from north of Ganges, especially from the Vajjika-Maithili cultural group who supported this separation in its initial years. Therefore, in a classic Benedictian sense, a Bihari identity was being created, even though the region to create this modern Bihar had more in common *inter se*, than say with Bengal and it definitely made more administrative sense to be separated from Bengal. But with Avadhi dominated Hindi interspersed with some Bhojpuri, the Bihari cultural future was equally bleak if merged with another huge province of United Provinces. There was already consternation among Maithili speaking scholars who had a rich and continuous tradition in Maithili at least since the late medieval age, since the age of the cuckoo of Mithila, Vidyapati; to be merely considered another dialect of Hindi. Bengali scholars considered Vidyapati to be their poet and Maithili to be another dialect of Bengali. Maithili speakers would not have liked to be thrown from Bengali linguistic domination to Avadhi domination.

For Dr. Sinha, it was easy because he belonged to Arrah, the then district headquarters of Shahabad to identify more with United Provinces than with Bengal. He used to maintain houses both in Patna and Allahabad which had

the High Court for the United Provinces with which he identified more than with Bengal. Even the Imam brothers were from Neora in Patna District and he drew huge support from Gaya whose linguistic culture is Magadhi. This also might have been one of the reasons for the Maharaja of Darbhanga not supporting the speratаion of Bihar as a movement in its initial phases from 1893 onwards and when it was debunked by Sir Alexander Mackenzie in 1897, it was not lamented upon by the influential Maharaja in addition to the fact that Mr. Guru Prasad Sen being the secretary of the Bihar Landholder's Association of which the Maharaja was the President. It was only in 1906 and then in 1908 that the Bihar Landholder's Association threw its weight behind the separation of Bihar from Bengal thus giving fillip to the movement. It was, of course, again precipitated by the "disturbing" Swadeshi movement in Bengal and the landed elites and aristocrats of Bihar thought it fit and the time opportune to dissociate themselves from not just the movement but from Bengal itself to show their loyalty to the British Government. Also, a lot of the landlords of North Bihar, had land and property in Bengal and Calcutta, including Darbhanga Maharaja and a lot of Bengali zamindars had land and property in North and East Bihar for centuries showing them to be not just courteous neighbours but as agents and precipitators of a common cultural heritage. Maithili has its own script unlike Bhojpuri or Magadhi and it has striking resemblance to Bengali and not the Nagari script of Hindi. The rituals, social practices and eating habits of Maithili-Angika-Vajjika region of Bihar has closer resemblance to Bengal and as attested to by Prof. Radhakrishna Chaudhary that Kulins or Kulinism actually grew in North Bihar and then migrated to Bengal where it reached its zenith.[29] In the history of Bengal, the Kulin Brahmins had migrated from the region of Kanauj to Bengal during the Pala dynasty.[30] They could not have "flown across Bihar", and they could not have suddenly migrated at the spur of the moment. Their migration would certainly have been slow and gradual and through the region of North Bihar and in the process they would have settled in Bihar as well apart from migrating into Bengal and forming the upper strata of Kulin Brahmins. The name of Darbhanga draws from the name *Dvar Banga*, or Gateway to Bengal. We also do not hear of any prominent locality of Bengalis/Bengali-speaking people in southern and western Bihar constituting the Magadhi-Bhojpuri linguistic-cultural group but such localities in North and East Bihar in the Maithili-Angika-Vajjika region have existed for centuries.

In spite of these subtle similarities in some linguistic-cultural sub-groups of Bihar and Bengal, the Bengali intelligentsia, public men and the colonial

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[29] Radhakrishna Choudhary, Social Structure in Medieval Mithila (c. A.D. 1200-1600). In: Ram Sharan Sharma, (ed.) Indian Society: Historical Probings (In Memory of D.D. Kosambi), New Delhi: People's Publishing House, 1974, pp. 217-234.

[30] For more, *See*: Niharranjan Ray, History of the Bengali People: From the Earliest Times to the Fall of the Sena Dynasty, New Delhi: Orient Blackswan, 2013.

government where they naturally had access and clout, overlooked and ran roughshod over the aspirations of Biharis, which became another motif of forging a common cause among all the five linguistic-cultural sub-groups within what was to form the new province of Bihar. On a more practical footing, showing the unity of Bihar and Biharis, marital relations in all these five linguistic-cultural sub-groups within the same caste and community was a common practice, whereas marriages did not exist between Biharis and Bengalis even though the upper strata of Bengal had at one point of time migrated from Bihar. Language, culture and then the colonial administrative headquarters in Calcutta had created a divide which called for a separation between the two as a more amicable solution to fulfill the aspirations of Biharis as well as to create a new form of nationalism on American federal lines as envisioned by Dr. Sinha.

The shortcomings of Sinha were his ultimate allegiance with the British Empire and the Crown[31] (the immense respect and pride with which he referenced to it even during the eve of independence when he wrote his autobiography and even when he became the Chairman of the Constituent Assembly of India which was to frame India's Constitution) and his gradual disassociation with Congress since 1920 when it became a mass movement under the leadership of Gandhi, Bose and Sahajanand. In addition, he remained an elite, liberal-constitutionalist being friends and supporter of both the city professionals and the landed gentry of Bihar (in effect supporting zamindari).[32] While Congress was

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31 In this, Sachchidanand Sinha is a late and a Bihari version of Bengali intelligentsia of a century before, starting from late 18th and early 19th centuries, who were pro-British. Some remained so till independence or even thereafter like Sir Jadunath Sarkar and Nirad C. Chaudhuri, to name a few.
While speaking to Bihari students, Sachchidanand Sinha claimed the "British rule as the best for the country" and refuted "the view held by a certain section of educated Indians that because the ruling class belonged to a different race, the Government therefore, was not of the people…He advised the students to accept British rule as the best for the country and to refrain from doing anything which is likely to disturb its foundation…and earnestly hoped that all Indian leaders will make it a point of impressing the great truth upon the rising generation that the progress of India, now or in the future, is bound up with British rule." (Hindustan Review Vol. XXI Jan. to June 1910, pp. 248-53) cf. Vijoy Kumar, On the Threshold of Provincehood (1900-1911), Patna: Rahul Smarak Lekhak Sahyog Samiti, 1985, pp. xxi.

32 Swami Sahajanand Saraswati writes in his autobiography in the section titled 'Exposing the Fake Kisan Sabha and Re-establishing the Real Sabha' on the fake Kisan Sabha meeting at Gulab Bagh on 29th February, 1933, "None of us knew at the time that the Kisan Sabha meeting at Gulab Bagh was held with funds provided by the leaders of the Bihar Landholders Association. And of course, it was this body that was to decide the fate of the kisans by amendment of the complex provisions of the Tenancy Act in the Council. But in the end this collusion was also exposed. As a matter of courtesy, it was proposed that there be a formal vote of thanks to some of the participants in the meeting, and this was done. But then Deoki Babu proposed that a specific vote of thanks be extended to Sinha Sahab (Shri Sachchidanand Sinha). I then asked about his relationship to the Kisan Sabha? When he insisted, I made clear that this would be highly improper. Feeling somewhat desperate in the circumstances, Deoki Babu said quietly that Sinha Sahab had in fact provided the funds for holding this sabha meeting. At this I observed, also in a subdued voice, that it would not be wise to propose his

boycotting the visit of the Prince of Wales, Sachchidanand Sinha as Finance Member of Bihar and Orissa Legislative Council read the welcome address for the prince as representative of the people.[33] When Simon Commission was opposed by all Indian nationalists led by Congress, which also led to the Jallianwala Bagh massacre by General Dyer, Sinha attended the dinner given by the Chief Justice of Patna High Court, Sir Courtney Terrel, to members of the English Bar in honour of Sir John Simon.[34]

Bihar's separation from Bengal (1912) and later the separation of Orissa from Bihar (1936, involving the provinces of Bengal, Madras and Central Provinces as well), in both of which Sinha played the most prominent role, are among the oldest acts of constitutional federalism in India and is yet to receive such recognition not just by historians but also by legal scholars or scholars writing on Indian federalism.[35] This autobiography along with this introduction will

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name for a vote of thanks. People would immediately see that this sabha had been staged with money provided by the zamindars. This silenced Deoki Babu and the meeting came to an end." Walter Hauser with Kailash Chandra Jha (ed. and trans. Swami Sahajanand Saraswati's Mera Jivan Sangharsh (My Life Struggle), Culture, Vernacular Politics and the Peasants, New Delhi: Manohar, 2015, pp. 390-399 (at pp. 393-394).

33 Yuvraj Dev Prasad, Dr. Sachchidanand Sinha – The Dream Achiever of Bihar (1871-1950) in Abhilekh Bihar (Journal of the Bihar State Archives), Ank – 8 (Vol. 8), Patna: Bihar Rajya Abhilekhagar Nideshalaya (Bihar State Archives), Government of Bihar, pp. 132-154 (at p. 152).

34 *Ibid* at p. 152.

35 "Sachchidanand Sinha and Mahesh Narayan were the principal spokesmen of the idea of 'subordinate patriotism'. They felt that it was the bounden duty of the people of Bihar to advance first and foremost the cause of Bihar and Biharis, by all legitimate means, while sharing jointly with the people of other Indian provinces those (duties) that devolved upon educated Indians in general. The idea was to develop among the people of Bihar, Sinha maintained, what was termed by Mr. Balfour as 'subordinate patriotism' akin to what Scotchmen felt for Scotland or Irishmen for Ireland, while sharing in a common patriotism (with the English and the Welsh) as Britons. The idea was thus based on the lines of American or German patriotism – first the state, and secondly the Republic or the Empire." Cf. Narendra Jha, The Making of Bihar and Biharis: Colonialism, Politics and Culture in Modern India c. 1870-1912, New Delhi: Manohar, 2012, pp. 227-228. Post-independence, this became an anathema as India got scarred by partition led by elite Muslim obscurantists and their 'medieval backward' organization called the Muslim League. It found its imprint on the text and structure of the Constitution where the centre or the union is all powerful.
Article 1(1), Constitution of India states, "India, that is Bharat, shall be a Union of States", and Article 3 gives the Union parliament preeminent right with regard to the creation, alteration and extinguishment of states, "Article 3 of the Constitution makes serious inroads into the position of States insofar as it authorises Parliament to form a new State by separating any territory from a State or by uniting two or more States or any part of them, or by uniting any territory to a part of any State. It may also increase or diminish the area of any State or alter the name of any State, subject to the condition that the diminished territory should remain part of the territory of India and not be transferred to any other country. The power to transfer any territory to any other country is not included in Article 3 because such transfer requires an amendment of the Constitution through Article 368. The only safeguard available to the concerned State in Article 3 is that its views are sought by the President on the proposed law within the specified time. But Parliament is not obliged either to consider these views or to modify the law. By this law Parliament may make all the consequential changes in any of

shed some light on the rigmaroles of the creation of these provinces during colonial times.

At the evening of his life Sinha started to write his autobiography titled, "*Recollections and Reminiscences of a Long Life*", which he published regularly in the monthly installment of his journal "The Hindustan Review" (which he had both founded and helped edit since 1900). He started publishing an installment of his autobiography almost every month from July, 1946[36] and continued up until December, 1949 issue of *The Hindustan Review*. More could have been written but he was unwell and could not give a formal conclusion to the autobiography when he died on March 6, 1950.[37] The April, 1950 issue of the journal contained a collection of memorial articles on him, his last public speech, press tributes and condolence messages. After his sad demise, the sun also set on the remarkable "*The Hindustan Review*" which he had founded and continued publishing single-handedly for half a century. The editors of the present volume have compiled and edited this autobiography (also retaining Sinha's own chapterisation) of a great constitutionalist, public man, the first modern *Beharee* and the first modern *Beharee* public intellectual at the national and international level and present it for the very first time before the readers.

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the provisions of the constitution without the need to observe the procedure for amending the Constitution." Mahendra Pal Singh, The Federal Scheme (Chap. 25), In: S.Choudhry, M. Khosla, P.B. Mehta (eds.), *The Oxford Handbook of Indian Constitution*, Oxford University Press, 2016, p. 458.

36 In the first installment of Sinha's autobiography published by the *Hindustan Review*, the associate editor introduced it as "Life Story of an Old Public man: Dr. Sachchidanand Sinha, the first installment of whose autobiography we have the privilege to present to our readers, is one of the few surviving political eldermen of our country who constituted the vanguard in the movement of our country's political emancipation. Considering his close association with the public life of the country, for now more than fifty years, and his intimate relations with almost all the public men of all schools of political thought in the various provinces, his personal recollections and reminiscences, penned by himself, is likely to prove not only an interesting but an instructive record of Indian life, thought and progress, in the twentieth century. These autobiographical articles will appear in this Journal in a serial form, from month to month." Cf. *The Hindustan Review*, Vol. LXXX, July 1946, No. 497.

37 Sachchidanand Sinha wrote other works like '*Some Eminent Behar Contemporaries*' and '*Some Eminent Indian Contemporaries*' which had smattering of autobiographical content in them. For more, *See*: SINHA, S., Some Eminent Behar Contemporaries, Patna: Himalaya Publications, 1944; SINHA, S., Some Eminent Indian Contemporaries, Patna: Janaki Prakashan, 1976.

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1. The Province, The District, And The Place Of My Birth

The Province of Bihar

To me the most memorable date, in the history of the world, is the 10th of November, 1871, when I saw the light. I was born at a small town, called Arrah, long the official headquarters of Shahabad, the western-most district of the British-Indian Province of Bihar, adjoining the eastern districts of the Province of Agra, which lies to its west, and which with Oudh constitutes the United Provinces.[38] These contiguous districts and some others of the Province of Agra, included in the two commissionerships (or revenue divisions) of Gorakhpur and Benares, are integral parts of Bihar, and constitute, along with it, one cultural, linguistic, and sociological unit, and should have formed one administrative unit as a Province of British India but for the lack of imagination on the part of the British rulers of the country.

The salient points of the remarkable history of Bihar-particularly the memorable part played by it in the cultural, political and spiritual developments of ancient India-were felicitously summarised in a compendious paragraph by Mr. (afterwards Sir) Edward Gait-later, the Lieutenant-Governor of Bihar and Orissa – in his *Report of the Census of the Province of Bengal, Bihar, and Orissa*, for 1901, in the following terms:-

"The Province of Behar is known to us from very early times. The ancient kingdom of Magadha comprised the country now included in the districts of Patna, Gaya and Shahabad. Its capital was at Rajagriha, some thirty miles north-east of Gaya. North of the Ganges was Videha, or Mithila, which included the modern districts of Darbhanga, Saran, Champaran, and Muzaffarpur; south of the latter district constituted the small kingdom of Vaisali. To the east lay Anga, including Monghyr, Bhagalpore and Purnea, as far as the Mahananda river. There are constant references to these countries in the *Mahabharata*. Magadha is even mentioned (under the name of Kikata) in the *Rig Veda*. It was in Magadha that Buddha developed his religion, and that Mahavira founded the cognate creed of the Jains. Soon after Buddha's death, a Sudra named Nanda wrested the throne from the Kshattriyas, and founded a new dynasty. He made his capital at the confluence of the the Sone and the Ganges, near the modern

[38] Bihar is a province lying on the middle Gangetic plain and together with United Provinces (now Uttar Pradesh) constitutes part of North India. The region of Bihar has been prominent in the history and culture of India and indeed the ancient world for being the centre of the Mauuryan Empire; birth of the first republic in Vaishali; centre of philosophical schools of Nyaya, Mimansa, Sankhya; being the land of Yajnavalkaya, the Buddha, Mahavira, Chanakya and many other intellectual giants of the ancient world, and so on.

Patna. Chandra Gupta, a contemporary of Alexander the Great, overthrew this family, and founded the Maurya dynasty. He successfully resisted Seleucus, one of Alexander's generals, and it was at his court that Megasthenes compiled his great work on India. His grandson, Asoka, established a hegemony over the whole of India. He was a great protagonist of Buddhism, and sent his missionaries to every known country. In the fourth century the Gupta dynasty rose to power. Their capital also was at Patna, and their supremacy was acknowledged by the kings of Bengal and Kamrupa (the latter now known as Assam). In Hiuen Tsiang's[39] time North Bihar was divided into Vriti, to the north, and Vaisali to the south, both countries stretching eastwards to the Mahananda".[40]

To the above historical and political sketch, I may add an extract from an address delivered, in 1944, by an eminent Indian historian and scholar – Dr. Radha Kumud Mookerji-on the University of Nalanda, situated in the Patna district, which was the greatest educational and cultural institution of Bihar, for centuries, and which lasted till the invasion of the Province by Bakhtyar Khilji, in 1197, that is, till the end of the twelfth century. Said Dr. Mookerjee : "The University of Nalanda brought to its portals students and scholars from places as distant as Korea (in eastern Asia), and it was very intimately connected with China. The Chinese traveller, Hiuen Tsiang, spent a number of years at Nalanda. To feed her ten thousand students, and hundreds of teachers, ancient Nalanda did not depend on any town market, but on its own fields and dairy farms."[41] Now that the excavations at Nalanda had been nearly completed, and the great monuments of the past had been, once again, exposed to view, they offer a highly instructive chapter in the history of Indian archaeology, and the site being quite close to a railway station can be easily visited, and should not be missed by travellers in, and visitors to, India.

It is not necessary to follow the fortunes of Bihar during the pre-Moghal period. But with the establishment of Akbar's Empire it again emerged into prominence, and was constituted as one of the major provincial administrations, a detailed account of which is available in that great Indo-Iranian Classic called the *Aiyeen-e-Akbari* (or "The Institutes of Akbar"), prepared by that erudite scholar and statesman, Abul Fazl, which is a monument of learning and

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39 Hiuen Tsiang (602-664) was a seventh century Chinese Buddhist monk, philosopher, traveller, and translator who spent many years at the ancient University of Nalanda studying philosophy and Buddhist texts. The famed University of Nalanda located in the province of Bihar was a great centre of learning in the ancient world until it was destroyed and its ten-storey library burnt down by the Islamic invader Bakhtiyar Khilji in 1197 CE.

40 E.A. Gait, Census of India 1901 Volume VI (The Lower Provinces of Bengal and their Feudatories) Part I The Report, Calcutta: Bengal Secretariat Press, 1902, p. 4.

41 It is quite likely that this address would have been given at Patna University during the Vice Chancellorship of Sachchidanand Sinha. Otherwise, on the University of Nalanda as well on ancient Indian education, Radha Kumud Mookerji has written a voluminous work, Radha Kumud Mookerji, Ancient Indian Education: Brahmanical and Buddhist, London: Macmillan, 1947.

research, and which is available in an excellent translation made into English by Professor Blochmann and Colonel Jarrett. Bihar remained a separate Province of the Moghal Empire till a quarter of a century after the death of Aurangzeb, in 1707. But in the period of anarchy that ensued subsequently, it was amalgamated, in 1732, with Bengal, for purely administrative purposes, by the then Governor of Bengal, from which year till 1912-that is, for the long period of a hundred and eighty years-Bengal and Bihar continued to be united under one Provincial Government, both under the Indian rulers, and also under the British.

From 1765-when the titular Indo-Moghul Emperor, Shah Alam, conferred upon the victorious Clive the *deewani* (or revenue administration) of the three Provinces of Bengal, Bihar and Orissa-until 1833, all the British territories in Northern India constituted one administrative unit, called the "Presidency of Fort William in Bengal". But under the provisions of the Act of Parliament, placed on the statute-book in 1833, the Presidency of Fort William was divided into two separate provincial Governments-one to be called the Bengal Presidency (containing the now four separate provinces of Assam, Bengal, Bihar, and Orissa), and the Presidency of Agra, comprising the rest of the British territories in Northern India, at that time. The latter existed, however, for a very short period, and was replaced, in 1836, by "North-Western Provinces". Under a Lieutenant-Governor, instead of the Presidency of Agra under a Governor. The annexation of the Punjab, in 1849, made the cumbrous title of North-Western Provinces singularly inappropriate from the geographical standpoint, but it lasted long until the beginning of the twentieth century, and it was not till 1902 that the official designation of North-Western Provinces and Oudh (the latter Province having been amalgamated with the former in 1876), was replaced by that it still bears-the United Provinces of Agra and Oudh.

As in the case of the Presidency of Agra, so in that of the Presidency of Bengal, the latter also started as a separate Province under a Lieutenant-Governor, in 1853; it having been governed, for a period of twenty years, from 1833 till then, by either the Governor-General himself, or by a Deputy Governor appointed by him to administer the affairs of "Bengal" which included the now four separate provinces of Assam, Bengal, Bihar, and Orissa. Of these four Provinces Assam was the first to be detached, in 1874, and constituted into a separate administration, leaving Bengal, Bihar, and Orissa as one joint Provincial Government. In 1905, Bengal was partitioned, under the scheme of redistribution propounded by Lord Curzon-Eastern Bengal and Assam constituting one Government, with Dacca as its capital; and Bihar, West Bengal, and Orissa another, with its seat of Government continuing in Calcutta. In 1912, however, Bengal, and Bihar and Orissa, were constituted two separate administrative units, under the terms of the Proclamation made, in person, by King-Emperor George V, at the famous Darbar held at Delhi, on the 12th

of December, 1911, when Eastern and Western Bengal were re-united, Assam was again separately re-constituted an administrative unit, and the Province of Bihar and Orissa came into existence on 1st April, 1912. The two latter provinces continued to be administered as a joint administration until the 31st of March 1936, when Orissa was constituted a separate Province, from the 1st of April in the year. This brief reference to the changes, in the provincial administrations in Northern India, should be kept in view, by the reader, to be able to follow the incidents of my career, as sketched out in these articles.

The District of Shahabad

The District of Shahabad of Bihar (at the headquarters of which-called 'Arrah'-I was born) is famous for many historical incidents and events during the medieval and modern periods of India history. Baber invaded Bihar in 1529, and the spot is still pointed out at Arrah, where the Emperor pitched his camp, and pro-claimed himself as the ruler of Bihar. But on Baber's death, Sher Shah-later the Indo-Pathan Emperor (from 1539 to 1545)-became supreme in Bihar and Bengal, so much so that, in 1539, Baber's son, Humayun, had to personally advance against him. He was met by Sher Shah's army in the Shahabad district, at a place close to Buxar (now a station on the East Indian Railway), called Chausa, where Humayun was utterly routed and his army put to flight. It was this victory, at Chausa, that secured to Sher Shah the throne of Delhi, and led to the expulsion of Humayun from India for many years. Thus Sher Shah, the greatest Indo-Pathan Emperor of India, who had succeeded in expelling Humayun from India, and ruling as Emperor from Delhi, was intimately connected with the Shahabad district, in which he himself built his mausoleum at Sasaram (the headquarters of the sub-district of the same name), and which is one of the most famous architectural monuments of the mediaeval period of Indian History. It is a station on the East Indian Railway, and well deserves a visit.

Sher Shah's magnificent mausoleum, at Sasaram-and the smaller one of his father, Hasan Khan, east of it-are among the most important ancient monuments in the province of Bihar. The former, which is one of the best specimens of Indo-Pathan architecture, is an imposing structure built entirely of stone, standing in the middle of a spacious, artificial lake, measuring about a thousand feet square, and rising from a terrace, thirty feet in height, and three hundred feet square in area. It stands on a large platform with a flight of steps leading to the water's edge, and built not squarely upon it, but obliquely to its sides. Mounting from the causeway-restored by the British-Indian Government, in 1882-to the terrace, the building is entered through a wide verandah, running all round, with three large arches on each side. The interior of the tomb consists of

a large octagonal chamber surrounded by an arcade of Gothic-looking arches, from which springs a second octagonal storey, and above this rises the colossal dome with a span of seventy-two feet. The grave of Sher Shah lies in the centre, with the right side turned towards Mecca, and is distinguished from the other graves, near it, by a small column placed at its head; while the latter are ranged in two rows at its foot, and are said to be of the Emperor's companions in arms.

The chamber, or central apartment, is lighted by a series of windows, above the verandah, which are filled with stone tracery, and the Mecca niche is richly ornamented with passages from the Koran carved on the stone. Two broad terraces, at each corner of which are cupolas supported on columns, lead round the building, the first being over the verandah, and the second at the base of the dome. Traces of coloured enamelled tiles still exist on the domes of the different kiosques, and also the walls of the tomb-showing that these parts of the structure were originally encased in enamelled tiles. The height of the monument from the floor to the apex of the dome is one hundred and one feet, and its total height above the water is over on hundred fifty feet. The octagon forming the tomb has an interior diameter of seventy-five feet, and an exterior diameter of one hundred and four feet. The tomb is thus remarkable for the great span of its dome, which is thirteen feet wider than even that of the world-famous Taj Mahal, at Agra. Thus for grandeur and dignity Sher Shah's mausoleum is quite unequalled in Northern India. Though its architecture is predominantly Indo-Pathan in character, yet some experts maintain that the influence of Hindu architecture is distinctly noticeable in the design of this famous monument. That, however, is a matter for experts to discuss and decide, and not for laymen.

Sher Shah's Mausoleum

SHER SHAH'S mausoleum had attracted the attention not only of travellers, who had lavished panegyrics on it, but also of the two British historians of Indian Architecture. Mr. James Fergusson, in his standard work *The History of Indian and Eastern Architecture* describes the tomb of Sher Shah (whom he justly calls "the most illustrious of his race") in terms of high appreciation, from which I may quote some general observations:- "from its locality and its design, it is a singularly picturesque object. Its dimensions too are considerable. On the exterior, the terrace on which it stands is ornamented by bold octagonal pavilions in the angles, which support appropriately the central dome, and the little bracket kiosks between them break pleasingly the outline. In the same manner the octagonal kiosks that cluster round the drum of the dome, and the dome itself, relieve the monotony of the composition without detracting from its solidity or apparent solemnity. Altogether, as a royal tomb of the second

class, there are few that surpass it in India, either for beauty of outline, or appropriateness of detail. Essentially Pathan in style, it was erected at Sher Shah's native place in Bihar, far from Moghal influence, at that time, and in the style of severe simplicity that characterised the work of his race."[42]

Similarly, Mr. Percy Brown, another great authority on the subject, in the second volume of his *Indian Architecture* (dealing with the Muslim period), offers the following critical observations on Sher Shah's tomb: "Those responsible for this architectural masterpiece were unquestionably gifted with phenomenal vision, for the spectacle of such a ponderous building-solid and stable in itself, yet apparently floating on the face of the water, its reflections creating the illusion of movement, and at the same time duplicating its bulk-is unforgettable. Viewed as an example of architectural expression, it is an inspired achievement, a creation of sober and massive splendour, of which any country would be proud. There must be few who can look on this great, grave monument, silent and solitary, without being deeply moved by its calm and stately dignity. The proportions of its diminishing stages, the harmonious transition from square to octagon, and from octagon to sphere, the variety and distribution of its tonal values, the simplicity, breadth, and scale of each major element, and, finally, the carefully adjusted mass of the total conceptions, show the aesthetic capacity of the Indian architect at its greatest, and his genius at its highest."[43] Than this there can be no higher praise.

In the town of Sasaram there is also a slightly smaller mausoleum of Sher Shah's father, Hassan Shah, standing in an enclosed courtyard; and about a mile to the north-west is the tomb of Sher Shah's son, Saleem Shah, which was evidently intended to be even larger than his father's, but was never completed; it also stands in a tank. These mausoleums, at Sasaram, constitute perhaps the most famous group of architectural monuments of Indo-Pathan times. The town of Sasaram which, as stated above, is a railway station on the east Indian Railway route to Calcutta, via Gaya-can easily be visited and should on no account be missed by a visitor to India. Twenty miles south-west of Sasaram lies Sher Garh with a now ruined fort, built by Sher Shah on the edge of a precipice commanding beautiful view over the valley and the hills beyond.

After his accession, as the successor of his father, Humayun, on the throne of Delhi, Akbar sent his near relation Raja Man Singh, as his Viceroy to Bihar, and the Raja selected as his stronghold the historic hill-fort of Rohtasgarh (in the Sasaram subdivision of the Shahabad district), where he built, for his residence, a fine palace in Indo-Saracenic style, which also is well worth a visist. The fort of Rohtasgarh is picturesquely situated on an outlying spur of the Kaimur

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[42] James Fergusson, The History of Indian and Eastern Architecture Vol II, London: John Murray, 1910, pp. 217-221.

[43] Percy Brown, Indian Architecture (The Islamic Period), Bombay: D.B. Taraporevala, 1942, p. 87.

hills, and is about fifteen hundred feet above sea level. The ascent from the village of Akbarpur, at the foot of the Kaimur range, is over hills of limestone covered with a scrubby brushwood, succeeded higher up by a sandstone cliff, cut in places into rough steps, which lead to the crest of the hill, form ledge to ledge and gap to gap, well guarded with walls, and an archway of solid masonry. Passing over these to the summit, a walk of about two miles leads to the palace built by Raja Man Singh, which was visited, and described by the famous botanist, Sir Joseph Hooker, as follows :-

"The buildings are very extensive, and bear evidence of great beauty in the architecture; light galleries supported by slender columns, long cool arcades, screened squares and terraced walks, are the principal features. The rooms open out upon flat roofs, commanding views of the long endless table-land to the west, and a sheer precipice of a thousand feet on the other side, with the (river) Sone, the amphitheatre of hills, and the village of Akbarpur below." These buildings in the Indo-Saracenic style, of Akbar's period, are of unique interest, as being the only specimen of Indo-Mughal civil architecture in the Province of Bihar, and as such affording a striking example of the conditions of military life under the Empire in the time of Akbar.

Another Place of historic interest in the district of Shahabad-and close to Chausa where Sher Shah defeated Humayun-is Buxar, a station on the main line of the East Indian Railway, which is famous for the victory won (on the 23rd October, 1764), by the British and Indian forces of the East India Company, against Shuja-udaullah, the Nawab Vizir of Oudh and Mir Quasim, the Ex-Nawab of Bengal, Bihar and Orissa, which battle was even more decisive for the fortunes of the British than Plassey. It strengthened materially the position of the British in Eastern India, and ultimately led (in the next year, 1765) to the formal grant to the East Indian Company, of the *deewani* of the Provinces of Bengal, Bihar and Orissa, by the titular Indo-Mughal Emperor, Shah Alam (mentioned above), who also surrendered himself to British protection, as the result of the battle of Buxar. At the site where the fight took place there stands a monument with an inscription on it-not far from the railway station-which deserves a visit from students of British Indian history.

Though I have referred to the fortunes of the Shahabad district mainly during the Indo-Muslim period of history, it has nonetheless a great historic past. Along with the other districts comprised in Bihar, Shahabad was a part of the Mauryan Empire of Chandra Gupta and Asoka, and an Asokan inscription is still extant on what is now called Chandanpir hill, at Sasaram. The Chinese pilgrim, Hiuen Tsiang, visited the Shahabad district in the seventh century of the Christian era. In the Bhabua subdivision of the district, at the village of Chainpur, there stands a great mausoleum of Bakhtiyar Khan, which is a noble monument of the Indo-Pathan period. Of the same period is another interesting building, namely the fort at Chainpur, which is surrounded by a moat, and

defended by a stone rampart, flanked by bastions. Such are some of the historic monuments of the district of Shahabad, at the headquarters of which (Arrah) I was born, And such the province of Bihar, justly famous in Indian history as the nucleus of the great Empire of Chandra Gupta, and his world-famous grandson-Asoka the Great.

My Native Town:- Arrah

Arrah, the headquarters of the Shahabad district, had gained unenvied notoriety in the annals of the Indian Mutiny of 1857, and its name, accordingly, figured very prominently in the histories dealing with that memorable episode in the history of British India. The special interest attaching to Arrah centres round the defence of the "little house" (still standing in the Judge's compound) against the mutinous sepoys from the Dinapore cantonment. While details of the siege are to be found in the standard histories of the Indian Mutiny, there is a particularly interesting account of it given by Sir George Trevelyan in his well-known book called *Interludes in Verse and Prose*.[44] The salient facts are that on the 26th July, 1857, the sepoys, having mutinied at Dinapore, marched to Arrah, without any hindrance being offered by British troops. The "little house" at Arrah, which had been prepared for defence by Vicars Boyle, an Engineer, then working on the construction of the East Indian Railway, was held up against two thousand mutineers as besiegers by twelve Britons, and some Sikh soldiers. The attack commenced on the 27th July, but the garrison in the "Arrah House", led by the District Magistrate, Herwald Wake, and Vicars Boyle, the Engineer, met their assailants with so heavy a fire that they rapidly fell back.

Later, the mutineers subjected the besieged to a fire, and also made an effort to smoke the defenders out, but failed in their efforts. They then tried to mine the garrison, but they had not succeeded in their attempt before relief arrived on the 3rd August. The privation of the besieged for want of water, was so great that they were driven to sink a well, eighteen feet deep, inside the "Arrah House', to provide themselves with it. Such is the famous "Arrah House" which is mentioned in all the guide-books to India, and which was declared by Lord Curzon, for the purpose of being preserved by Government, as a "historic monument". It is a square two-storied building, with verandahs on three sides, supported by arches, which the besieged garrison had filled up with sandbags. The lower storey of the building, which is just over ten feet high, was held by the Sikh soldiers. Such is the historic building for which Arrah is famous in the annals of the Indian Mutiny. *Two months in Arrah* in 1857, a book by J.J. Halls

[44] Sir George Otto Trevelyan, Interludes in Verse and Prose, London: George Bell and Sons, 1905, pp. 129-158.

(published in London, in 1860), is a graphic record of the siege of the "little house" at Arrah, my native town.[45] I was present on a memorable occasion when an old attendant, aged eighty five, who was one of the besieged in the Arrah House, was introduced to a Governor of Bihar, and who was received by him with not only great kindness and courtesy, but respect bordering on honor. He was a Government pensioner, and died at the advanced age of ninety, thus breaking the last link with the siege of the historic house at Arrah, so famous in the annals of the Mutiny of 1857.

The most notable incident in the fortunes of Arrah in the post-Mutiny period, was the visit paid to the town by the King-Emperor George V in December, 1911, where he stayed, for some time, on his way from Delhi to Calcutta (to be able to attend Divine Service at the Memorial Church, and to visit the Arrah House) soon after His Majesty's declaration, at the Delhi Darbar, of the separation of Bihar and Orissa from West Bengal, and their constitution as full-fledged Provincial Government. As a member of the Imperial Legislative Council, I was invited by the District authorities to be present on this memorable occasion, in the fortunes of my native town, and I shall never forget the scene of genuine and unparalleled enthusiasm amongst the vast mass of humanity that had mustered in force to have a *darshan* of His Majesty the Emperor, and of His Royal Consort. The crowd, which had been trooping in from the neighbouring villages since the dawn, and had assembled round the Memorial Church, was an enormous one, which was estimated to be not less than forty thousand. But there was no disorder until after the service was over. Then, as His Majesty's car slowly drove out of the Church compound, there was an attempt made by the crowd to rush the cordon set up by the police, which induced the latter to offer opposition for maintaining it. The people were naturally anxious to catch a glimpse of their Majesties by going closer to their car. But as the police would not allow it, the situation was becoming acute, and any moment it might have led to a *fracas*.

No one knew what to do, or what would happen. The police Officers had their orders to carry out, which was to maintain their cordon at all cost; the people were no less insistent by reason of their intense desire to see their Emperor and Empress, on pressing as close to their car as they could, in spite of the Police and their opposition. Just then, when the situation had become tense, one of the officers accompanying their Majesties came out the car, and announced to the Police Officers in charge that His Majesty desired the cordon be removed forthwith, which was no sooner said than done. The crowd set up a hilarious uproar, as they were able to obtain a good view of their Majesties, who graciously stood in the car, which was halted sufficiently long to enable the people to come forward, and have *darshan* of their Sovereign to their heart's

[45] John James Halls, Two Months in Arrah in 1857, London: Longman, 1860.

content. The crowd then dispersed peacefully-shouting at the pitch of their voice "Jai, Jai" ("Victory, Victory") to their Emperor and Empress.

Thus a serious situation was tactfully averted by their gracious act of His Majesty George V, and the incident had left an abiding impression on my mind, as showing to what an enormous extent the exercise of imagination, sympathy, and tact can help in the solution of Indian problems-whether those affecting the illiterate masses, or the educated classes. It may be recalled that King-Emperor George V, on his return home, six year earlier, after his visit to India as the Prince of Wales, had (in the course of a speech delivered at the Lord Mayor's banquet in the Guildhall) declared that what was wanting in the administration of India was sympathy with the legitimate aspirations of the people. He himself was the very embodiment of such sympathy; but, being a constitutional monarch, he was naturally unable to influence the policy of the British Government in relation to India; with the result that ever since the dawning of national consciousness amongst the educated and politically minded classes in the country, there had existed bitter relations between them and government.

2. My Ancestral Home And Family

My ancestral village (called Murar), is situated close to Buxar, in the north-western part of the Shahabad district; but I was born not there, but (as stated previously)- at Arrah; and I have had little connections with the village where my fore-fathers had lived and died for centuries. Where they originally came from is absolutely uncertain, but judging from the fact that there are in the village two separate blocks, one occupied by the descendants of my ancestors (which block is known as *Lucknowa tola*) and the other bearing no name, it may be inferred that at some remote time my ancestors came from the neighbourhood of Lucknow, or the city itself, the famous capital of the province of Oudh, which was constituted, in 1876, with what is now known as the province of Agra, the United Provinces of Agra and Oudh. Whatever the original home of my ancestors, they had lived long in the Shahabad district to have become thoroughly naturalised as Biharis, and for centuries they had spoken the local dialect of western Bihar, and the eastern districts of the Agra Province, called Bhojpuri, and not either the Lucknow dialect of Eastern Hindi or Hindustani - the latter popularly known as Urdu.

It is also beyond doubt that, during the Indo-Mughal regime, the residents of *Lucknowa tola*, in the village, had held high office in the Military Accounts Department of the Indo-Mughal army, since they have all borne the title of "Bakhshi". I was the first to give it up, though my son affects it in the state papers as a landed proprietor. My ancestors had also been connected for centuries with the affairs of the Dumraon Raj, which is the largest landed estate in the Shahabad district, and one of the largest in the Province of Bihar. The holders of this estate are Rajputs of ancient and historic lineage, and until lately they had left the management of their estate to my ancestors, and their descendants, with the result that almost all the sons of my great-grandfather were in the service of the proprietor of the Dumraon estate. My grandfather, Shiva Prasad Sinha, who was born in 1790, and died in 1870, at the advanced age of eighty, was, all his life, the chief Revenue Officer of the Maharaja of Dumraon. He was the third of four brothers all of whom served, in different capacities, the *Dumraon Raj*. My grandfather had two sons, the elder Ram Ghulam Sinha, and the younger, Ramyad Sinha-the latter being my father.

My uncle, Ram Ghulam Sinha, was born in 1820 and died in 1871, about a month after my birth. It has been stated above that until the enactment of the parliamentary statute of 1833, the British territories in North India formed one administrative unit, called the Presidency of Fort William in Bengal. My Native district, Shahabad, being the westernmost district of Bihar, was in intimate touch at that time, as it still is, with the eastern districts of the province of Agra. Accordingly both my uncle, and my father, received their education and

training at Benares, and not at Patna, the capital of Bihar. My uncle who, having been born in 1820, was eleven years older than my father, received an appointment, at the age of twenty, as an Executive and Revenue Officer, under the Magistrate and Collector of the district of Ghazipur, in the then North-western Provinces. He did not know English, but was well grounded in Persian, which was abolished as a court language in Upper India, so late as in 1838, and he was fully conversant with Hindustani (or Urdu which replaced Persian) as the court and official language in Upper India, in that year.

Apart from his knowledge of these languages, my uncle possessed many of the requisites of a successful Executive Officer, with the result that he rapidly received promotions as compared with his compatriots. He enjoyed the reputation of being a highly capable and efficient official possessing great strength of character in dealing with administrative work, in particular, and public affairs, in general. He was in charge of a sub-district of Ghazipur, in the year 1857, and had to bear the brunt of the Indian Mutiny, and the mutineers. When things had settled down to normal conditions, the then District Officer of Ghazipur, under whom he had served, and also the Commissioner of the Benares division, strongly commended his services to the Government of the North-Western Provinces, in recognition of which he was awarded at a divisional *darbar* held by the Commissioner-the Chief Executive Officer of the Benares Commissionership, and next in rank, as such to the Lieutenant-Governor of the province-a *sanad* of honour, placed in a gold-and-silver *qalamdan*, and also one thousand rupees. The *qalamdan* is a heavy silver box with gold work on it, and a suitable inscription, and is intended to serve both as an ink-stand and pen-holder. As for the sanad, I transcribe below a translation of its contents. The language in which the orginal document is written is a highly Persianised form of Hindustani, which it is not easy to translate faithfully into English, without making the rendering clumsy and unidiomatic, but the free translation given below will serve the purpose of conveying to the reader the high esteem and regard in which my uncle's services, during the Mutiny, were held by the then Government of the North-Western Provinces:-

"High-placed and holding exalted office, Munshi Ram Ghulam Sinha, Revenue Officer of Balia (Ghazipur district) may always be the recipient of generosities from Government. From the reports of the District Officers, it appears that at the time of great disorder, when the Officers of Government were engaged in pursuing and suppressing the mutineers, you worked whole-heartedly with those officers, and helped them, with your knowledge and experience, in overcoming the difficulties which had to be surmounted at that time. On several occasions you displayed energy and devotion in opposing the mutineers; and proved, in every action, your honesty to the satisfaction of those officers; so much so, that even though you suffered financial loss at the hands of the evil-minded mutineers, you never turned your face from loyalty and faithfulness,

and remained completely staunch in support of Government. Coming to know these facts, the eternally existing Government, by way of Royal generosity, in return for these good services of yours, bestows upon you a reward of one thousand rupees, a silver *qalamdan*, the engraving on which shows that it has been presented to you in appreciation of your loyal services, and this *parwana* in recognition of it. You should regard these benefactions as the means of your prosperity and welfare, and should continue to do the work of Government with sincerity and devotion, and should look upon them as the source of your honour and pride. Written at Benares on the 9th May, 1859."

My uncle was a very devoted believer in a Muslim saint, known not by his name, but by reason of the big stick he always carried with him, as "Lakkar Shah", who was believed to have attained communion with the Divine, and was a man of the greatest piety, and highest moral character. On receiving the news of my birth, my uncle went with my father to Lakkar Shah, to convey to him the happy tidings of the birth of a son and heir to my father. On his mentioning the news to Lakkar Shah, the latter is reported to have said: "I know it, I know it, and I am very happy." He then at once pulled out a few hair from his moustache, and gave them to my uncle saying: "Put them into a locket, and let the child wear it as an amulet until he is twenty-one. He is a lucky child, and will never suffer from want. He will live long and be happy." I wore the locket till I was of age, as my mother insisted on my carrying out the injunction of the saintly Lakkar Shah. Accordingly, more from a sense of obedience to my mother's wishes than any convictions of my own, I wore that locket, hanging by a thread round my neck, till after my return to India, on my call to the English Bar, on the 26th of January, 1893.

When on the call night I bent down to sign my name as a full-fledged Barrister, in the Register of the Hon'ble Society of the Middle Temple, in its famous Elizabethan Hall, I felt the locket sticking out underneath my stiff dress shirt which (and not neglige shirt) was permissible at that time as a part of evening clothes. It was only after I had returned home, that my mother agreed to have the locket put aside. It is still in my possession, and I cherish it as the sole companion now left to me of my infancy and youth, quite apart from its efficacy in having conduced to my success and happiness, on which opinions may reasonably differ. But the one thing it certainly did was to obliterate from my mind and heart all prejudice against things Muslim, which had been to me the greatest gain, since in a country like India any one with communal prejudice is a lost soul.

My uncle left two daughters, but no son. Three months before my birth he had executed a will in which he had declared that if a son was born to his younger brother, my uncle's property would devolve, in that case, in equal shares on his two daughters and his brother's son. Accordingly one-third share of my uncle's property was inherited by me, and my father got it recorded in my

name, in the Collector's Commutation Register. It came under my father's management and control, as my natural guardian; and so Lakkar Shah's prediction about my being a lucky child came to be true. But there were troubles ahead. When I was about fourteen years old, my aunt was induced by her brother to institute a civil suit, claiming on behalf of her two daughters, my share of my uncle' estate, on the ground that the provision in my uncle's Will, in my favour, was inoperative and invalid, since I was not born in his life-time, but after his death! Though a purely civil litigation, it developed, in course of time, into numerous criminal and revenue cases, all instituted against my father's staff of servants by my aunt's brother. This is, more or less, a normal development in India even now, when a civil litigation is, pending between parties of some position, by reason of the anxiety of the parties to harass one another in every court of competent jurisdiction.

But in instituting one of the criminal cases, my aunt's brother over-reached himself. He brought a charge of incendiarism not only against the menial staff serving in my ancestral village, but also against my father's *deewan* (general manger), who was regarded as a most respectable man in the village community. The police having sent up for trial (*challaned*) all the accused, including the *deewan*, the case came up for hearing before an Assistant Magistrate, at Buxar, who was a British member of the Indian Civil Service. My father's *deewan* was at that time over eighty years old-but he was tall, thin, wiry, and well-knit; with a fair complexion. He appeared in the Magistrate's court in the typical costume of the spacious days of the Great Moghuls, which had ceased to be affected at that time by almost all persons, except those who, like the *deewan* himself, were born in the eighteenth, or in the early part of the nineteenth century, when a titular Indo-Moghul Emperor (a pensioner of the British Government) nominally occupied the still dilapidated throne at Delhi, and used to sit under a tattered gold and silver canopy.

The appearance of the *deewan* in his long-flowing, and magnificent velvet and gold costume, as an accused in the dock, naturally attracted the attention of the Magistrate, and being a young man of not more than twenty-five, he evidently rushed to the conclusion that it was a false case instituted by the complainant, since the *deewan* could not possibly be a culprit as he looked so respectable. The Magistrate was right in his conclusion, but not so in discarding the formalities of legal procedure. Accordingly, after examining only some, and not all, the witnesses cited for the prosecution he recorded his view that the case was absolutely false to the knowledge of the complainant (my aunt's brother), and that he should be prosecuted under section 211 of the Indian Penal Code, for having maliciously instituted a wholly false case against the accused. Considering the position of the parties, it became a very sensational affair not only at Buxar, but also at Arrah, and, in fact, almost all over the district. My aunt was very much upset at the prospect of her brother being sent to jail, and

so an application for the revision of the Magistrate's order was filed before the Session Judge, at Arrah, praying that the proceedings of the case instituted by the Magistrate be quashed, on various legal grounds.

I very well remember, even at this long distance of time, how much I felt excited on the day the case came up for hearing before the Sessions Judge. My father, evidently apprehending that I might go to court, had given me a strict injunction to attend my school-class, as usual, and so I made a pretence of obeying his order; but after having been present in the class just for a few minutes at the roll call, I ran to the Judge's court, which was situated, at that time, at a distance of over two miles from school. I was apprehensive of being recognised in the court room my some of my father's friends, but I braved the venture, and kept skulking in a corner, with my face towards the wall, though casting furtive glances rather frequently, to be able to watch the proceedings in the court. This being also the first time in my mind was in a state of terror at the prospect of my being arrested for intrusion by a school student, but fortunately no notice was taken of me.

As soon as the Judge took his seat, the case was called out by the reader, and a Barrister-who was either a Briton, or an American-rose to argue the case on behalf of the petitioner. I could not have followed the arguments even if I could have made an effort to do so; but my mind was in a whirl, and I could follow little of what I heard. I saw, however, that within a short time of the counsel having addressed the Judge, the Government Pleader, who was a friend of my father's rose to address the court. The Judge seemed to be against him, and evidently declared that the proceedings drawn upon by the Magistrate against my aunt's brother would be quashed by him. I gathered this from the fact that *darkhast manzoor* ("the petition allowed") was being shouted all round. My aunt's brother left the dock looking very jubilant, and I remember distinctly that on seeing him pass into the verandah, jauntily holding his head high , I left considerably miserable, though I could not account for it. Perhaps I thought that the result of the Judge's order amounted to a stigma on my family.

Late in the evening, I asked my father the result of the case, with a view to impress upon him that I was attending the school, and knew nothing of the matter. He said to me that the proceeding against my aunt's brother had been set aside by the Judge, on the two grounds, that the Magistrate had not examined all the prosecution witnesses but only a few of them, before drawing up the proceedings for his prosecution, and that he had not served upon the complainant a notice to show cause why he should not be prosecuted. I did not quite understand why all these formalities should have been necessary, if the Magistrate felt satisfied that it was a false case; but I understood enough to arrive at the conclusion that there was no finer thing in life for an Indian than being a Barrister, since even British Judges paid attention to his arguments, and decided cases not according to their own discretion, but as a Barrister desired

them to do! This incident made a great impression on my young mind, and I immediately resolved to go to London at all costs, to study for the English Bar. This was in the year 1886, when I was fifteen years of age. From this time onward, until I succeeded in running away from home for London, in December, 1889, I thought day and night of nothing but how to leave home to be able to become a Barrister. And so the litigation in which I was involved led to my being called to the English bar, in the fulness of time, about seven years later.

The criminal case having ended so satisfactorily for him, my aunt's brothers made great preparations for prosecuting the civil litigation, but here he had to reckon without his host. The Will having been executed by my uncle in 1871, some of the attesting witnesses were alive at the time of the litigation, and they were called, on my behalf, to prove not only the genuineness of the document, but also the date of its execution before my birth, on the 10th of November, 1871. After a prolonged hearing, extending over several months, the trial Judge dismissed the suit, and awarded costs against the plaintiff. There was a great jubilation in my home at the dismissal of the suit, and my father invited his friends to a sumptuous dinner. But that did not see the end of the matter. It was fully anticipated by my father that there would be an appeal to the Calcutta High Court, and he was not surprised when the appeal was filed, in due course.

My father was advised by his friends to retain as his lawyer in the High Court one of the most eminent legal practitioners at that time, namely. Mr. Chandra Madhab Ghose, afterwards (as Sir Chandra Madhab) a distinguished Judge of the High Court, whom I was privileged later to know intimately. The appellant had retained the services of the most eminent counsel, Sir Charles Paul, the Advocate-General, who was believed to possess great influence with, if not over, the Judges. My father went down to Calcutta when the appeal was likely to be heard. He stayed there for about a month, and returned home triumphant. He left Calcutta the same evening on which the arguments were concluded, as the Judges had expressed the view that they were going to dismiss the appeal, but that they would give time to the parties (at the request of Sir Charles Paul) to enter into a compromise, if they so desired to do, in which case the appeal would be put up later for final disposal, in terms of the compromise. I learnt from my father that the compromise had been agreed to on the terms that the plaintiff's appeal was to be taken to have been unconditionally withdrawn, that the gold-and-silver *qalamdan*, along with the *parwana* or *sanad*, be made over to my father to be kept by him, on my behalf, until I attained majority, and that each party was to bear its own cost of the litigation. The Judges who had heard the appeal had expressed themselves so strongly against the appellant that my aunt's brother had no alternative but to agree to the compromise on the terms suggested by them.

Accordingly some days later my father went down again to Calcutta, when a joint compromise petition was presented to the Court, and a decree was passed by the Judges in terms of the compromise. Thus ended this prolonged litigation, which lasted in various shapes and forms (in civil, criminal, and revenue courts) for from two to three years, and in which I was (though a minor) the principal party concerned. When my father and the opposite party returned to Arrah from Calcutta, there was a great feast at my house, at which, curiously, the chief guests were my aunt's brother, and her two sons-in-law. Since that time (1886) the gold-and-silver *qalamdan*, and the *sanad* have been in my sole possession, but (strange as it may sound) I have had no occasion to make even once any use of them; though a number of my relations, in search of employment, had been running about, from time to time, showing them to officials, with a view to secure their sympathy for, and support, in appointment to some post, though not one of them had been able to obtain thereby even a ten rupee job!

After His Majesty King-Emperor George V, had appointment me, in 1921, a Member of the Government of Bihar and Orissa (as an Executive Councillor), Lord Sinha, who was the Governor of the Province, coming to know that I possessed some heirlooms of the Mutiny, expressed a desire to have a look at them. It was to enable him to understand the contents of the *sanad* that the translation of it, which I have printed above, was made under Lord Sinha's orders by the Government Translator. On reading the document, and looking at the *qalamdan*, Lord Sinha asked me whether I ever had an occasion to show them to any one, and on my telling him that he was the first person to whom I had shown them, he remarked that such things were not likely to be appreciated by British officials in normal time of peace. His remark was highly significant, and I think he was quite correct in his estimate of the value of such grants in the changed circumstances of modern India. If it were possible to do so, I would have preferred to place my heirlooms in the antiquarian section of the Patna Museum as relics of a bye-gone age, and the symbol of a stage in British Indian history that had passed away. But India still continues to be ruled by the red-tape of the Circumlocution Office, and the Patna Museum, being a Government institution, I did not feel encouraged in making such a request after learning that the Museum authorities had refused a more or less similar request made by Sir Ganesh Dutta Singh-the Bihari Minister who held office under Dyarchy for the longest period of fourteen years (1923-1937) at a stretch-in respect of some relic of his, which he thought should be preserved in the Patna Museum. I have, therefore, no alternative but to leave the gold-and-silver *qalamdan*, and the historic *sanad*, I have inherited from my uncle, to my only son to make such use of them as he can.

3. My Parents And Home Influences

My father, Bakhshi Ramyad Sinha, was born in 1831, and passed away in 1897, at the age of sixty-six. Like his elder brother, he also received his education and training at Benares. He was a scholar of the Persian and Hindustani (Urdu) Languages, but he also knew Hindi well, and had even a smattering of Sanskrit and English. He qualified himself, like his elder brother, for Government service, at the early age of twenty, and he made such a great impression on the examiners (the commissioner, and the Judge, of Benares) that he was straightway appointed as an Executive and Revenue Officer, in 1851, and posted to serve in the Jaunpore district of the Benares Commissionership. He served in that capacity in various eastern districts of the province, for a period of about ten years. Meanwhile India had passed in 1858, as the result of the outbreak of the Indian Mutiny, from the control of the East India Company to that of the British Crown, and my father told me that he was present at Allahabad on the historic occasion when Lord Canning (the Governor-General, who was also the first Viceroy of India) read out Queen Victoria's memorable Proclamation on the 1st of November , 1858, which was until not long back regarded by the many of the politically-minded Indians as the greatest Charter of their religious liberty and political freedom. The site at which Lord Canning had read out the Proclamation, near the bridge over the Jamuna, at Allahabad, was converted many years back into a fine park, in which there stands a monument commemorating that great event in the history of modern India.

After resigning Government service, in 1861, my father settled down to practice at the Bar in the district courts at Benares. Being well versed in law, and possessing some of the essential requisites that conduce to success in the legal profession, including ten years experience of criminal and revenue administration, he soon secured an extensive practice, and in a couple of years from the time of his joining the Benares Bar, he came to be regarded as one of the leading legal practitioners. The Dumraon estate in the Shahabad district, with which my ancestors had been connected for centuries past, has some landed properties also in the Benares Commissionership (of the now province of Agra), and for this reason the then Maharaja of Dumraon had given a retainer to my father for conducting all his legal business in the courts at Benares. The work that my father did in that capacity gave complete satisfaction to the Maharaja of Dumraon and so, in 1865, when the leading lawyer of Dumraon raj, at Arrah, retired, owing to advanced age, the Maharaja not only offered that post to my father, but insisted that he should transfer his practice from Benares to Arrah, as he was anxious that my father should hold office as his chief retained lawyer. It was in these circumstances that my father left Benares, and removed himself to Arrah, where he lived for more than three decades, until his death in 1897.

When my father came to Arrah, in 1865, he had two daughters but no son. Like the average Indian he was anxious that a son should be born to him, and there were naturally great rejoicings when I was born six years later. At that time my father was one of the leaders of the Bar, and was living in a house belonging to the Dumraon estate, overlooking a spacious tank-known after a former Judge of the district, as Dean's Tank. It is still there, but the site at which there stood the house in which I was born, had long since been built over for a thriving educational institution, called the Town School. My father was in his fortieth year when I was born, and my mother was about twenty-five. My earliest recollections of my parents I recall even now with pleasure and gratification. Being the youngest child, and the only son, in the family, I was naturally made much of, and my parents love was lavishly bestowed on me. But very fortunately for me my mother was a strict disciplinarian according to her lights. When I was just about five years of age, I was offered by someone a folded betel-leaf with the usual spices enclosed in it, with which it is chewed, and the effect of which is to leave a red tint on the tongue, teeth and lips. The chewing of betel is a universal custom amongst the people of India (of all castes, classes, and communities), and seeing other people doing it, I saw no harm in following their example; but my mother, when she saw my red lips, seemed to be annoyed at my having chewed betel. She called me to her, asked to put out my tongue, and the moment I did so, she caught hold of it, and gave it a sharp twist which made it tingle, and called forth tears in my eyes. That was the first, and the last, occasion on which I indulged in the pastime of chewing betel, and I am sure, I have been all my life much the better for my mother's reprimand.

Scarcely can a non-Indian realize the many disadvantages accruing from being addicted to the habit of chewing betel, and I forbear from inflicting them upon the reader. But I may add that being convinced in early life that chewing betel was not only a habit injurious to health, but that it conduced to insanitary surroundings, (by reason of the red liquid generally spat out by chewers of betel attracting to it swarms of flies, and spreading infection thereby), I tried to interdict this habit, so far as I could, by directing (when I was a member of Government in charge of Law and Justice) that no betel-sellers be allowed to have their stalls near the courts. My orders naturally led to a great uproar, and protest, not only from amongst betel-sellers, but also lawyers, and officials (including Indian Judges and Magistrates) who all felt very happy when my term of office was over, as they knew that my successor (who himself was an inveterate betel-chewer) would set aside my order, if only to maintain his consistency with the habit he was addicted to ; and, as a matter of fact, *that* was the very first thing he did. In fact, that was his first, and also his last, order, in the Department of Law and Justice, as he retired long before the completion of the full term of his office, and the cancelation of my order is the only thing which stood to his credit.

Under the levelling influence of British rule, educated Indians-particularly those who were English-knowing-had got rid of a number of their more or less injurious, objectionable, or inconvenient customs and habits, which were not at all adapted to modern conditions of life in the country. To mention but one instance, the old Indian system of smoking tobacco through *hookahs* had been very largely replaced by the more conveniently portable-though possibly every so much more injurious-cigarettes, cigars, and pipe. Even amongst the daily dwindling number of people who affect the old Indian style of living, *hookahs* had practically disappeared, and been replaced by the western style of smoking, and you find in many well-furnished houses (as for instance, that of the Right Hon'ble Sir Tej Bahadur Sapru, at Allahabad) artistically and well-designed smoking cabinets, replete with the manufactured goods imported from famous firms of tobacconists (like Dunhills) in London. But so far as chewing of globules of betel-leaves, mixed with aromatic spices and herbs, is concerned, it is still the order of the day in almost all social circles in India, and there is not a pin to choose between the Hindu, the Muslim or any other Indian, for the matter of that, in any part, of the great sub-continent of India of India-the Punjabees being the last to have come under the evil influence of the betel-leaf-called *pan*. In some parts of the country, the expression "pansupari party" is generally used as a synonym for a social gathering.

British officialdom in India-which had long since discarded the taint of many Indian customs and traditions which it once followed at the Indo-Moghal Court, at Delhi, and also at the courts of other ruling chiefs and princes, until the abolition of the East India Company in 1858- was still under the domination of the betel-leaf. At the greatest and most important official function-called a Darbar-the betel-leaf still reigns supreme in all its pristine glory. After the main business of a Darbar is concluded, the Chief Secretary conducts, one after another, to the Governor, the noblemen of the highest social position, and the great representative of the British Crown, habited in his tight-fitting political uniform, stoops a little to the bowing figure before him and offers him the betel-leaf globule covered with gold leaf, and served on a big silver tray. The holders of the rank below that of the recipients of the betel globules at the hands of the Governor are then similarly treated to the same delicacy by the Chief Secretary, and the rank below those served by the Chief Secretary by the Under-Secretary. All this takes considerable time, during which you are expected to be on your best behaviour, and not even smile, when watching sheepishly this dull and silly performance, which enables British officialdom to soothe its qualms of con-science about India being under the foreign domination of the British, which they persuade themselves cannot be true, so long as gold-leaf covered *pan* is served, on silver salvers, to the Darbarees, by British officials, including in the case of some by the Governor himself.

What wonder then if in the light of so glorious an example by British officialdom, even the most cultured and enlightened, and politically most advanced Indians, revel in the luxury of chewing betel. The higher the position the worse the offender. I have seen some Right Hon'bles-members of His Majesty's Privy Council-and also some of the greatest Indian political leaders, indulge in this luxurious pastime, during their stay in London, where they arrange to receive regular supplies from India, by airmail, of fresh betel-leaf, with the usual spices and other ingredients it is chewed with. Indian members of the Governor-General's, and Governor's Executive Councils, (the latter now replaced by Ministers), Judges of the High Courts, members of the Indian Civil Service-regular competition-wallahs too, for the matter of that - leading advocates and political leaders of the eminence, who command the applause of listening senates, are all steeped in the pastime of chewing betel, and generally squirting the red-coloured liquid of the betel-leaf. I have no doubt that it is because of it all that on maps of India, the British-Indian provinces are invariably coloured in red tint, as a compliment to, and an acknowledgement of, what may not unjustly be regarded the national colour of the country, judging from the tremendous partiality of the vast bulk of the Indian classes and masses alike to the chewing of betel-references to which widely-prevalent custom are found in Indian and Anglo-Indian literature.

Before passing to some other topics connected with my birth and boyhood, I would like to mention an interesting incident. My father and Harbans Sahay (of whom I shall say more) being intimate friends agreed that if the wife of one of them was brought to bed of a male-child, and the wife of the other of a female child, they would be married, in due course. But Fates were against my marrying a child of my father's friend, as the child born to him was also a boy! This was a great disappointment to the two friends, but they put the best face upon the matter, and accepted gracefully the arrangements ordained by Providence They offered to themselves, however, a solatium by choosing for both the new entrants into the world the same name Sachchidananda. The name was chosen by my father, he being a Vedantist, as it represents the three sublimest attributes of the Divinity, according to the philosophical conceptions of higher Hinduism- the word being a compound (according to the rules of Sanskrit grammar) of three words, namely *sat* (truth), *chit* (consciousness) and *ananda* (eternal bliss). But though the best Hindu name from the philosophic standpoint, it is the very worst I could have been given from that of spelling or pronunciation! As regards its spelling, I myself never could write it correctly; until in 1890, when on a visit to Professor Max Müller, at Oxford, he tactfully conveyed to me (by spelling the name as I do now) on the cover of a letter addressed to me, thereby sparing my feelings, by not pointing out directly that I could not spell my name correctly. I tore up my old cards at once, and

have stuck heroically to the correct spelling since then-with its double *ch* as prescribed by the great savant and orientalist, in place of one *ch* only.

No European friend of mine had been able to educate himself to spell my name properly. They all pronounce it as "Sachinanda"- thus dropping the second *ch*, and also the first *da*. I have often received invitations even from the Government Houses in Calcutta, Delhi, and other places, with my name misspelt, in spite of the care usually taken by Government House authorities in spelling Indian names correctly. Nay, may Hindus also-not familiar with Sanskrit-had bungled both in spelling and pronouncing my name. As for Muslims, all my friends (except one to whom I shall presently refer) cut the Gordian knot by corrupting my name into "Sastanand" (or "cheap happiness!" *O tempora, O mores!*). Even my life-long and intimate Muslim friends though they tried their best, and often succeeded, in spelling the word correctly invariably mispronounced it as "Sastanand" or corrupted it still further by abbreviating it into "Sasta" (or "cheap and nasty"), thus eliminating from it all trace of the philosophic conception of "eternal bliss"! The only exception was my esteemed friend Sir Ahmad Hussain (Nawab Amin Jung Bahadur, of Hyderabad, Deccan) who being conversant with Sanskrit, not only spelt and pronounced my name correctly – but, thoroughly appreciating it philosophic significance, wrote to me in one of his letters:-"Sachchidananda! What a beautiful name you have got."

4. My Intellectual And Moral Background

It is time I said something about my intellectual and moral background. Although he did not know English well enough, but possessed a smattering of it, my father was, judged by the educational standard of the time, a highly cultured man. He had been all his life a close student of both Hindu and Muslim literatures. He had made himself conversant with Hindu culture enshrined in Sanskrit, mainly through the medium of translations from Sanskrit into Hindi, Urdu, and even Persian; while he was also familiar with Islamic literature by reading original works in Persian and Urdu. He was deeply interested in the study of what is now called Comparative Religion, and had a number of books, on this subject, in his library. Of this lot of books he was particularly fond of a book in Persian called *Dabistan-e-Mazahib*, written by Mohsin Fani, an eminent Iranian scholar, who lived in India in the seventeenth century. I have studied this pioneer work in Comparative Religion in the English translation made of it (for the oriental Translation fund series) and issued, in London in 1843.[46] Considering the period when it was composed, it is a wonderful repertory of sound information on the various religious, with which the author was acquainted, either through the medium of the literature relating to them, or by personal contact with those who professed the various faiths dealt with in his work. It was a careful perusal of this book that led me later to apply myself to a close study of that subject of absorbing interest - Comparative Religion. The literature relating to the subject of comparative Religion had grown fairly extensive in English and also in some languages of western Europe - since Max Müller gave lead to its study in the early seventies of the nineteenth century, but it is to me a matter of satisfaction that the pioneer work on the subject, the *Dabistan-e-Mazahib*, was produced on the soil of India - in which are to be found almost all the great religions of the world.

There were other books more or less covering the same ground, all of which my father constantly studied, along with such classic works on Hindu religion as the world-famous poem, the *Bhagwad Gita*. This immortal work my father used to study daily - more often in the Persian translation of Faizi, the famous court poet of Akbar, and also in some other translations in Persian, Hindi, and Urdu. He never failed to impress upon me that the *Bhagwad Gita* was a work of the highest moral and spiritual worth, and as such of the greatest value and utility, and that it should not only be carefully studied, but that its teachings should be strictly followed by all who desired happiness in this world. I have carefully followed my father's injunction in this matter, and I have gone through

[46] Mohsin Fani, The Dabistan or School of Manners (trans. by David Shea and Anthony Troyer), Paris: Printed for the Oriental Translation Fund of Great Britain and Ireland, 1843.

almost every translation available to me of this great classic, not only in English, but also in Persian, Urdu, and Hindi, and I am convinced that I am immensely all the better for it.

Next to books dealing with Comparative Religion my father was very fond of studying books on history, particularly the history of the Indo-Moghal period and of Islamic history and culture, in various Muslim countries. The history of the pre-Muslim period was at that time *terra incognita*, and good books on the subject were not then available even in English. My father was very fond of impressing upon me the lessons of the Indo-Moghal period of history, particularly those of the reign of Akbar, and his two immediate successors, his son, Jehangir, and his grandson, Shah Jahan. I may thus claim to have inherited from my father a love of books and devotion to study, in general, and of Islamic history - both political and cultural, in particular. Very few educated Indians possess, even now, a private Library of *belles letters* (or literature, creative and inspirational) apart from that of law, medicine, or any other subject, which may be required for their professional work. The exceptions to this rule may be counted at one's finger's ends. These few mostly reside in the presidency towns of Bombay, Calcutta, and Madras. Outside these three and, may be, a few more places - private collections of general literature may be said to be practically unknown in the India of today. Eminent lawyers have large collections of legal literature text-books and Reports, the latter including English Reports as well. But you will not find in their houses even a hundred volumes of cultural literature poets, essayists, and dramatists, either English or Indian.

It is, therefore, much to the credit of my father that he possessed a private library of more than a thousand volumes in Persian, Hindi, Urdu, and Sanskrit, apart from his collection of law books and Reports of cases. Thus love of literature-apart form that dealing with one's profession – I have distinctly inherited from my father, and it had been the greatest solace of my life. I brought, with me, from London, in 1893, a collection of a thousand volumes, which had increased by 1924, to about ten thousand, which I presented to the public of Patna, in that year. Since then it had been known, in memory of my wife, as Srimati Radhika Sinha Institute and Sachchidananda Sinha Library. Apart from being a close student of books, my father was also a regular reader of newspapers. He subscribed to a number of journals in Hindi and Urdu languages which were published at that time from the capital cities of the North-Western Provinces and Oudh (the present United Provinces), and the Punjab, and he was very fond of telling me - even when I was a little boy - the important items of news which appeared in them. As I grew up he used to make me read out to him, every evening before dinner, the newspapers he subscribed, and also the books he happened to be studying at the time. Thus I have inherited from my father an instinct, so to say, for journalism to which I have been attached as a hobby and pastime for now more than fifty years, as will appear in the sequel.

Yet another thing which I may claim to have inherited from my father is a love of travelling. Considering the great difficulties of travelling in the seventies and eighties of the last century, it was truly remarkable that my father should have performed the pilgrimages to most of the chief centres usually resorted to by Hindu pilgrims, as prescribed for them, to Puri, the seat of the Lord Jagannath, in Orissa (which has given the English language the word "Juggernaut," generally used in a bad sense), to Rameshwaram at the southern end of India, to Dwarka on the western coast in Kathiawar, and to the Jawala Mukhi temple in the Kangra Valley of the Punjab, in which province he had travelled as far as Peshawar. Inspired by his great example, I too have traversed by far the greater part of the length and the breadth of India - from the Assam Valley to the Khyber Pass in the North, Ceylon in the South, and the tracts in peninsular India along the Coromandel and the Malabar coasts, with all the provinces and states in between them. I may thus justly claim that alike in my intellectual pursuits and hobbies, and also in the cultural developments of my mind, as resulting from personal contact with the people of the various parts of India, I owe not a little to the example set to me by my father, and to the training imparted by him to me, until I left my home, at Arrah, for Patna in 1887 at the age of sixteen. I thus owe my love of learning, my flair for journalism, and my fondness of books and travel to my father, to a large extent.

And now I shall say something about my mother. Though she can hardly be said to have been an educated woman, judged by modern standards, yet she was by no means uneducated. The education of women in Upper India is a recent feature of our social development. At the time I am writing of (between the fifties and the sixties of the nineteenth century not only in Upper India, but even in advanced provinces (like Bengal, Bombay, and Madras), women were not given any systematic education or training, which might qualify them even for household work. My mother had been taught by her parents Hindi, and she was well versed in that language, judged by the test that she could fluently read and easily understand the classic work in Hindi poetry, namely the *Ramayana* of the greatest Hindi poet, Tulasi Das, who died in 1624, in the reign of the Indo-Moghal Emperor, Jehangir. Ever since he composed his *Ramayana*, it has been the most popular work for mass education in the whole of Northern India-between Bengal and the Punjab. Its popularity continues even today, and more than one European scholar had testified to the great educative value and moral worth of the story of Rama and Sita, as originally enshrined in the great Sanskrit epic of *Ramayana* by Valmiki, and as popularised in the sixteenth century by Tulasi Das, in the old language of Eastern Hindustan formerly called Baiswari, and now known as Eastern Hindi.

The language used by Tulasi Das had undoubtedly changed considerably during more than three centuries that had elapsed since this great poem was composed; but in spite of it, its immense popularity, amongst all sections of

the people in the Hindi-speaking area, has continued unabated till now, and is not likely to suffer for yet a long time to come. My mother used to read the *Ramayana* daily, and to explain its lessons to the womenfolk, and the children in the house. Thus I learnt the *Ramayana* at my mother's feet, and the intimate knowledge which I posses of the contents of this greatest work in Hindi literature has been a source of inspiration to me throughout my life. Thought I learnt from my mother when I was between the ages of five and fifteen, I can still recite correctly form memory long passages from this famous epic. But apart from education (in the technical sense of that term) my mother possessed many noble traits and qualities which contributed to her success not only as a disciplinarian, but also as a highly qualified housewife. Of my mother's stern sense of discipline I have already given an example as to how she chastised me by twisting my little tongue for having chewed betel-leaf, for the first time. There can be no doubt that her sense of discipline had affected for the better my whole life, by making me adopt many good and healthy habits. Early rising, regularity in meals, moderation in food and drink, absolute non-smoking, and many other good traits-including that of adopting method and system in my work for which I had been justly given credit by my friends, and which had contributed to such success as I had been able to achieve - I owe entirely to my mother. As such I am naturally a great believer in discipline and good habits, which next to good character, are the greatest assets which one should possess to be able to achieve even a fair measure of success, as without character, discipline and good habits, the best brain cannot carry one far in life.

The other notable feature of my mother's character was her large-heartedness and generosity. She was always the last in the household to take her meals, at day or at night, when she had satisfied herself that everyone else in the house-guests, servants, menials, and even labourers and coolies-in fact, every one living in the house-had taken his or her meal. I have inherited from her this sense of hospitality, if I may so call it, with the result that during the last fifty years and more, eminent Indians from almost every province and State, in the country, had conferred upon me the honour of being my guest at my two houses at Allahabad and Patna. My mother was not only hospitable, but generous-hearted in the truest sense of the term, until she passed away about the age of eighty in 1932. She lived the life of a true ascetic. She kept for herself just enough for her bare requirements in food and clothing, and distributed, on a lavish scale, amongst the needy and the poor, all the money she could get hold of either form my father, or from myself. This distinctive trait of her character had left a deep impress on my mind and heart, with the result that whatever my other limitations of character are-and they are no doubt many-miserliness has not been allowed by me to touch the hem of my garment.

Though, as will appear in the sequel, I could not amass, even after half a century's practice at the Bar, the same amount of money as did some of my

friends in the profession since I always allowed my public activities to take precedence of professional work-I have been able to make fairly large donations for educational purposes to which I shall refer in a later part of this book. But I may mention briefly here the endowment created by me of half a lakh of rupees at the Punjab University for encouraging research in Science, of the same amount at the Kayastha Pathshala University College, at Allahabad, for encouraging the study of Economics, and of a much larger amount spent on the foundation and equipment of an Institute and Public Library, at Patna, established to commemorate the memory of my wife. As I believe that I had inherited the impulse of generosity from my mother, I cherish her memory in the highest regard and greatest esteem, and had founded a gold medal in her memory, along with other similar medals in memory of my father and my wife, at the Patna University, to be awarded to scholars who had topped the list of successful students, in various branches of learning.

Not only do I owe to my parents all that I have mentioned above, but one thing more, to which I should make pointed reference, and that is my having inherited from them what may be called a spirit of rationalism, or disbelief in the Supernatural. It is not easy for an outsider to appreciate the spirit of conscious or unconscious superstition that governs almost all the daily acts of even the average educated Hindu; to say nothing of the Indian masses the vast bulk of whom-Hindu, Muslim, or even Christian- are all more or less in the same plight. As regards Muslim masses, in India, those who have had intimate knowledge of them, by means of personal contact, are fully aware of the fact - which is amply corroborated by a perusal of the statements contained in the Reports of the Decennial Censuses, held since 1871, of the various Provinces and States of the country – that a very large section of the Muslim rural population are mentally in, more or less, the same condition as the co-responding classes of their co-villagers of the other communities; while even the upper classes of the urban Muslim population are strong believers in divination, as evidenced by their looking out for *faal*, (in certain books, like the *deewan*, or collection of poems, of Hafiz, believed to be sacred or inspired) *istakhara* (through the medium of throwing beads), and various other methods usually adopted for making predictions and prophecies, with the aid of *rammals*, (adepts in *ramal* or Astrology) that is, fortune-tellers and sooth-sayers.

So far as Indian Christians are concerned, considerable light is thrown on their prevailing mentality apart from what is contained in the Census Reports - by the contents of a petition (filed in Court, at Lahore, in January, 1941) containing the allegation that a well-known Indian Christian leader, who had been elected to the Punjab Legislative Assembly, from an Indian Christian Constituency, had employed "padris" (Christian priests) to induce the voters to believe that if they did not vote for him, they would become objects of divine displeasure, and would be punished in the next world! This significant

statement was contained in the election petition filed by the defeated candidate against the successful one, than which there can be no clearer proof of the correctness of my assertion about the mentality of the vast bulk of educated Indian Christians, as well. In February, 1944, in the educationally advanced city of Bombay, a Muslim woman was convicted on a charge of having cheated several Muslim ladies of their ornaments and cash, for making intercessions on their behalf, for various purposes, with the ghosts of some Islamic saints, with whom she made her dupes believe, she was in communion. The catalogue of books received by me (as I am writing these pages, in January, 1944) from a leading firm of booksellers, in Bombay, owned by Parsees-intellectually and socially the most advanced community in India - has a list of no less than thirteen books of Astrology offered for sale against only one on Astronomy! Leading nationalist newspapers and journals, in the country, print frequently advertisements, with large-sized photographs, of astrologers, palmists, *jyotishis* and *rammals-et hoc genus omne*. There are several periodicals (both in English and the languages of India) dealing solely with Astrology. All these facts tell their own tale, and speak volumes in corroboration of my statements about the average educated Indian's innate belief in the Supernatural.

Thus there cannot be the least doubt that even the educated Indians- barring exceptional individuals-are still dominated in their daily acts by an unfounded fear of the supernatural. A deep-rooted faith in astrology, dependence on horoscope-cast by an astrologer at the birth of every Hindu child-the dread of malign spirts, and the influence of evil stars on all human actions, a constant search for good and bad days for doing this thing or that, fixing up marriages, and other important ceremonials, on the basis of the supposed effect on human life of zodiacal constellations - these are but a few only of the numerous superimposed penalties to which the average Hindu - though he be highly educated - subjects himself, so to say, from the cradle to the crematorium. Very few Hindus, indeed, are free from such superstitions, and some of the most educated ones I have come across were the greatest victims to the beliefs I have enumerated above. I claim credit for myself for having shaken off such a halter round my neck, due to the teachings imparted to me by my parents, as the result of my father being a devotee of the teachings of the Vedanta philosophy, and my mother also having come under his influence. As a Vedantist my father believed in nothing Supernatural, and was never tired of impressing upon me that belief in astrology, and it's inevitable concomitants, was not only wrong, but a great evil. And he was, beyond a shadow of doubt, absolutely right in this respect.

My father used to cite to me his own experiences in support of his disbelief in Astrology. I may recall but one of them. He used to tell me that he married his eldest daughter, before my birth, after taking the precaution of consulting eminent astrologers of Benares, that the horoscopes of my sister and her husband tallied remarkable well, in every possible respect, judged by the

test of strictest astrological calculations. Amongst other things the Pandits had assured my father that the bride and the bridegroom would have a long life of conjugal happiness and prosperity; but the bridegroom suddenly died of cholera within three weeks of the celebrations of the marriage! I would not, however, have been impressed with this, and the other instances mentioned by my father, had not something happened, to my personal knowledge, when I was in my fifteenth year. One day I saw sitting with my father a fair and handsome young Pandit, dressed in fine clothes, whose appearance made an immediate impression on me. I went to my father to find out who he was. I was told that he was a very renowned astrologer from Lahore. The Pandit asked me to show him the lines on the palm of my hand, and on the sole of my feet; which I did. He then made, on the basis of information which my father gave him in replies to his questions about me, some calculations on a piece of paper, and was then ready to answer my father's question as to whether I would take the degrees of Master of Arts, and also Bachelor of Laws. The Pandit said that my education would not extend so far, but he added that though I would not succeed in taking degrees in Arts and Law, I would nevertheless be highly successful in the profession I might choose, which answer, I remember, cheered me up, a great deal. Next, he said, as the result of the examination of the lines on the sole of my feet, that I would be a great traveller, and would see a great part of world. I remember my father's comment on it to the following effect. "Why, Panditji, I have travelled throughout the length and the breadth of the country, north to south, and east to west. I wonder if my son will do more than what I have done." On which the Pandit said that he thought I would do so.

Now, if the matter had rested there, I would have been certainly all my life a great believer in Astrology, for the two predictions of the Pandit can be said to have turned out true, to a fairly large extent. But, very unfortunately for the Pandit, and my faith in Astrology, there was a distant relation of ours sitting there at that time. He was most anxious to learn from the Pandit about the length of his days-whether his life would be long or short. The Pandit, after making the necessary calculations on paper, said to him that he was blessed with a very long life, and that he might expect to live up to the age of eighty-on learning which he naturally left us highly gratified. Within a fortnight of the incident recorded above, my father said to me: "have you heard that our relation who went home the other day so much elated on the assurance of the Pandit, at the prospect of living to the age of eighty, had died the other day, and his younger brother had just sent me word to that effect". This was something which astounded me, and it made a tremendous impression on my mind, which I have never been able to shake off. From that day onwards I forsook all faith in astrological calculations and predictions, and have never been able to return to them. Throughout my long life I have never consulted a Pandit, or a priest, or an astrologer, on any single occasion, but had fixed my own date for everything,

and asked the family priest to agree to that date as being the most suitable for the object in view, on pain of his losing his perquisite. He had never cared to lose it.

The result had been pre-eminently successful, and I have gone through my life without being bothered in the least by apprehensions and fears which constitute the most painful curse of the life of even an educated Hindu, at the present day. Later when studying for the Bar in London, I read in one of Herbert Spencer's essays, which confirmed me in the view that the wisdom of that "Infinite and Eternal Energy" (to quote Spencer's scientific term for Providence) is manifested as much in the knowledge open to us to obtain, as in what it had kept back from us from knowing of our future. My father being a careful student of the Vedanta philosophy, and also fully conversant with the literature of Sufism (in Persian and Urdu, held views which were rationalistic and has no taint of superstition about them. Brought up by him, I have never had the least faith in the Supernatural, (though it may be dignified by being given the name of the Science of Astrology, or any other equally pompous name), and have never cared to know the future. I have had a happy life, on the whole, as I have been quite content with a knowledge of the past and the present, and absolutely unconcerned with a knowledge of the future, which I am satisfied is denied to humanity in its own interest. If this sound view were to gain acceptance in the country, Indian society, in general, and the Hindu community, in particular, would be in a very much less miserable condition, than they are now.

But, I fear, it will take a long time yet before freedom form superstition comes to obtain widely amongst the vast bulk of the people of India. Decades-if not centuries must elapse, and education in Science permeate the mind of the people, on an extensive scale, before it may reasonably be hoped that beliefs in the Supernatural shall have disappeared from this land. It should also be recognised that beliefs in the Supernatural - in angels, devils, gods, goddesses, godlings, ghosts, spirits, and tombs, and in individual planets and stars, and zodiacal constellations, with the alleged intercessors with them, in the shape of astrologers, exorcisers, sorcerers, wizards, fortune-tellers and soothsayers, of the male and female brands, *et hoc genus omne*,-is not limited to India alone, though they may exist here in an intensive form. All countries and peoples have lived for thousands of years under the shadow - so to say - of such blighting beliefs and influences; traces of which are still to be found even amongst the peoples of the most advanced countries. But I am satisfied that it is the people of India who, even now, have the shadow of their life lengthened in misery by their inordinate beliefs in the Supernatural.

5. My Education at Home And at School

I was just five years old when my father initiated me into the tree R's by performing the ceremony called in those days, even amongst Hindus, as *maktab*, a Persian word, which had become thoroughly naturalised amongst the community to which my family belonged. This word was current amongst us by reason of the close association of our community with the Mussalmans. Such contact had existed between the Mussalmans and the members of my community for centuries, with the result that a number of institutions and customs of the Muslims had been adopted by the members of my community, just as a large number of customs and institutions of the Hindus had been adopted by the Muslims, as the result of the intimate contact between the two communities for centuries. The Sanskrit word now generally used amongst the Hindus, called *Vidya-arambh*, (which means precisely the same thing as *maktab*) was then practically unknown amongst us. On the day fixed for the performance of the ceremony, my house wore a festive appearance. Friends and relations had been invited in large numbers, and had come from even outside Arrah, and the local gentry were all assembled by noon, when the ceremony was to be performed. It began with the family priest, chanting, Sanskrit *slokas* which, or course, nobody understood in those days, except perhaps the few Pundits present on the occasion.

I am speaking of nearly seventy years from now, when the study of Sanskrit in Bihar, even amongst the literary classes to which my family belonged, had fallen into complete decadence. Even Hindi (the Hinduised form of Hindustani)-which is now so popular amongst Hindus-was then scarcely known in Bihar. The court and official language of the province of Bihar, was, broadly speaking, highly Persianised Hindustani (popularly known as Urdu), and it was a knowledge of it which was naturally acquired by those who aspired either to official position, or to the leadership of the Bar. At the same time traces of Hinduism had not completely disappeared from amongst even such Muslimised communities as the one to which my family belonged. Accordingly after the Muslim *maulvi* had caught hold of my hand, and made me write out, on a slate, the first few letters of the Perso-Arabic alphabet (in which Urdu is usually written), the senior-most of the Pandits present made me similarly write out the first five letters of the Deonagri alphabet, in which Sanskrit and Hindi are usually written and printed in Upper India.

To me, however, the most interesting part of the ceremony was not my having been made to scribble the characters of the two scripts, on a slate, as the distribution of the sweets which followed immediately after the conclusion of the ceremony. The two sweets which had been specially prepared in large quantity for the ceremony were called *batashas* and *illaichidanas* which were

cloyingly sweet to the taste, and as such most palatable to me, and my friends. It goes without saying that all the members of the family had been presented by my parents with new clothes, and those provided for me, were naturally the most expensive which my father's means could afford. The initiation ceremony, however, was not quite finished at the time it was performed, and part of it remained to be gone through the next day, when a teacher of English was called to make me go through a similar process of writing the Roman alphabet, as I had been made to do, the previous day, in the case of Urdu and Hindi scripts.

My father had accordingly to appoint three tutors to help me in my studies at home, one to teach English, another to teach Hindi, and a third one (a Muslim *maulvi*) to teach Persian and Urdu, along with a number of other boys, who all came to my house daily to take their lessons with me. It was this institution which was known as *maktab*, and had come in the wake of the spread of Muslim system of education in the country. It required one fairly well-to-do person in an area to engage the services of a maulvi to teach his son, or sons, Persian and Urdu at his house, but at which the boys of the neighbouring houses also would come and receive tuition on payment of such small fees as their poor parents could afford. This system had become thoroughly naturalised amongst those classes of Hindus also who were desirous of cultivating a knowledge of Persian and Urdu, but the changed conditions under the influence of the British system had made this very useful institution practically disappear from Upper India, at any rate in the towns, from amongst the Hindus.

After receiving education at home, for one year, in English, Urdu and Hindi, under my three tutors, I was considered sufficiently advanced to be admitted into the High School of my native town, a Government institution, known as the Zila School, i.e, the school for the whole district. Accordingly on a day, which was considered by my mother auspicious, my father took me with him to the head master of the Arrah Zila School for my admission as a scholar. The Arrah Zila School at that time (1877) had ten pre-matriculation classes. Ordinarily I should have taken my admission into the lowest class, the eleventh, but the result of my one year's study at home had qualified me better than the average student of my age, with the result that after examining me the head master congratulated my father on the progress I had made in my studies, and told him that he would admit me into the tenth class. And so, in February 1877, I began my school career as a scholar of the tenth class of the Arrah Zila School, where I studied for about ten years. My progress as a young scholar was satisfactory in the opinion of my tutors, and also of my father and his friends. Before I had been a month at school I had worked my way up to the group of the five or six students who occupied, in almost every subject, the highest position in the class.

I was promoted, from year to year, at the end of the annual examinations held by the school authorities, and I used to stand high up in the list of successful

candidates. Of course, all subjects were then taught to us through the medium of English, except the two languages, Hindi and Urdu, the study of which was then compulsory for all scholars, irrespective of their being Hindus or Muslims. This system had, unfortunately, long since been changed; and I believe, it has now been made optional with the student in Upper India to take only Hindi or Urdu, as he may like. The result of this change has been highly detrimental, since almost all the Hindu and Muslim boys now learn only Hindi or Urdu respectively. I am satisfied that as the result of the education that was imparted to me at school, for the first five or six years of my career as a scholar, I have been able to possess far better qualifications of coping with my work in various spheres of activities than it would otherwise have been possible for me to have done. The result of the present system of education in the languages of the country is, that although the spoken idiom is still more or less common to both the Hindus and the Muslims, there is a vast divergence in the written style of the two forms of Hindustani known as Hindi and Urdu respectively. The result has been highly detrimental to the growth and development of a common literature and a common culture.

In 1884, I was promoted to the fourth standard when bifurcation had to be made in the study of language, the student being called upon to take up, in place of the modern Indian languages, either Arabic or Persian, or Sanskrit. So far as Arabic was concerned the study of it had become dead in the Government schools even at that time, and scarcely even any Muslim student cared to take up Arabic; but Persian (or as it is now called Iranian) was then taken up not only by almost all the Muslim students but even by a fairly large number of Hindu students. Unfortunately, I was ill-advised, to take up Sanskrit Instead of Persian, under some kind of patriotic impulse. But I had to pay a heavy price for my wrong choice for a period of no less than sixteen months. The Calcutta University had directed that thereafter the academic year would extend from July to June, instead of, as till then, from January to December, as a result of which the academic session of that particular year lasted from January 1884 till April 1885, when the school closed for the long vacation.

The Head Pandit of the school who used to teach us Sanskrit was a native of Benares. He was reputed to be a good scholar of Sanskrit but he little understood, I fear, the art of teaching young boys, such a difficult and unfamiliar subject as Sanskrit. The result was that I completely lost ground in the Sanskrit class; while still retaining my position in the other subjects amongst the topmost boys of the class. I was relegated to the bottom of the class almost daily by the Head Pandit. That was bad enough in all conscience, but that was not all. The head Pandit, as it seemed to me then, took a malicious delight in humiliating me before the class, from day to day. The moment he arrived in the class, he would put some question to me, and on my failure to give him satisfactory answer, he would roll about his eyes in fine frenzy, and would shout

at the pitch of his voice: "Sachchidananda, go down to the bottom of the class, and stand up on the bench with your face towards the wall"!

This had become the daily routine. Nothing I could do would satisfy the Head Pandit, who was always bitter and sarcastic in his remarks about me. He would often say: "Why do you not join the Persian class instead of trying to learn Sanskrit, which your forefathers never learned."

These incidents embittered my life, and infuriated me not only against the head Pandit, but even against a study of Sanskrit itself. And while standing on the bench with my face towards the wall, I was all the time swearing hard at, and cursing impartially, both against the head Pandit and the study of Sanskrit. I bore my sufferings meekly and patiently, but swore eternal vengeance both against the Head Pandit and Sanskrit, and at last I succeeded in my effort. Of course I was declared to have failed in Sanskrit at the annual examination, but I had done so remarkably well in all the other subjects that the Head Master, differing from the Head Pandit, who insisted on my detention in the same class for another acaemic year (evidently with a view to improve my Sanskrit) promoted me to the next higher class. After my promotion, I told my father that I was so disgusted with Sanskrit as taught by the Head Pandit, that I would never be able to pass the matriculation examination unless I was allowed to appear in Persian instead of Sanskrit, and I appealed to him to exert his influence with the Head Master of the school to allow me to change Sanskrit for Persian.

This was by no means easy, as the rules then in force gave no discretion to the Head Master to permit such a change, and the matter required being reported, to the Inspector of schools, at Patna. Very fortunately for me, the relations between the Head Master and the Head Pandit were rather strained, and the Head Master forwarded to the Inspector my father's application with a strong recommendation that I should be allowed to take Persian for my further studies.

My Father's Friends and their Families

Before dealing with my educational career, at Patna, I would like to say something about my father's friends, and also the social relations that subsisted between the Hindus and Muslims during the eighties of the last century. As mentioned previously, my father long occupied the position of one of the leaders of the Arrah Bar, and as such almost all his friends were members of the legal profession. The most notable amongst them was Harbans Sahay, whom I have already mentioned, and who came into great prominence before his premature death, in 1885, at the age of forty-five. He was then the only English-knowing advocate practising in the District Courts at Arrah, who was a Bihari-the few others being Bengalis. As conditions changed in the country,

in general, and in the province of Bihar, in particular, the British Judges and Magistrates came to be more and more dependent on the assistance rendered to them by English-knowing lawyers. My father felt that it would be of advantage to the more efficient transaction of the legal work of the Dumraon estate, of which he was the chief Legal Adviser, if an English-knowing junior was associated with him. Accordingly, he suggested to the then Maharaja of Dumraon the association of Harbans Sahay as junior. Harbans Sahay had been for some years employed in the Judicial Service of Government as a Munsif (or Lower Grade Civil Judge) but he was a man of parts and drive, and he felt that he would do better at the Bar than in service. Accordingly, he resigned service under Government, and joined the Arrah Bar.

With the advantage of not only knowing English but possessing also a sound knowledge of law and procedure, Harbans Sahay soon got into a good practice on his own account, and before long came to occupy a position amongst front-rank lawyers. But it must be said to his credit that he never forgot his obligaton to my father, and till the last day of his life, he always showed respect to and reverence for my father, even when the latter had retired from practice due to advanced age, after having got Harbans Sahay promoted to the office of Chief legal Adviser, in his place. Harbans Sahay had a commanding practice, and whenever I used to go to his house to play with his sons, I found him always surrounded by a large number of clients. By 1882 he had come to occupy so prominent a position as a leading lawyer, in the whole district of Shahabad, that on the occasion of the visit of Sir Rivers Thomson (the then Lieutenant-Governor of Bengal, and Orissa) to Arrah, it was Harbans Sahay who was selected by the District Officer as the most representative person to read out the address presented to Sir Rivers, on behalf of the people of the district, at the Darbar held in the Hall of the Zila School. The Lieutenant-Governor was so pleased with him that immediately after his return to Calcutta, he appointed him, on the happening of the first vacancy, a member of the Bengal Legislative Council. The system of election to the Legislature did not obtain at the time, and there were but a few nominations which could then be made of non-officials. Harbans Sahay was thus the first Bihari to be honoured with such a distinction. His nomination as a Legislative Councillor-which carried with it the honorific of "The Hon'ble"-gave him a still higher position in public life, and raised him to the highest status to which a non-official could aspire at that time. Thereafter, until his sudden death at Patna, in 1885, it was Harbans Sahay, who was most prominent Bihari not only in the district of Shahabad, but in the province of Bihar.

Another great friend of my father's was Jai Prakash Lall, the then manager of the Dumraon estate, who also, in course of time, came into great prominence, in a different sphere of activities. He had started his career as a tutor to the son of the then Maharaja of Dumraon. Being a man of parts and steady habits,

he slowly worked his way up from the tutorship of the young proprietor of the estate, to the managership of his estate. In course of time he not only received the title of "Rai Bahadur", but was later the recipient of the Insignia of Companionship of the Order of the Indian Empire. As a Manager of the estate (one of the largest in Bihar, with a gross income of a hundred thousand pounds) he achieved great distinction, and was nominated, after the death of Harbans Sahay, as his successor to the Provincial Legislative Council. He became a great favourite with Government, who settled with him a large estate, in Upper Burma, after its annexation, in 1886, which is in the possession of his only son Rai Bahadur Harihar Prasad Singh. He died in 1897, after having acted with the Maharani as one of the Executors of the Dumraon estate, under the terms of the will of Maharaja Sir, Radha Prasad Singh. The Burma Estate he acquired was developed successfully by his son, mentioned above, who became involved in a heavy and sensational litigation for its possession, at the instance of Maharaja Sir Keshav Prasad Singh, who claimed that estate, on various legal grounds, as an integral part of the Dumraon estate. The district Judge of Shahabad (a British member of the Indian Civil Service) decided the case in favour of the plaintiff (Maharaja).

On appeal to the Patna High Court, against the decree and order of the District Judge, a full bench of three Judges, composed of the then Chief Justice, Sir Dawson Miller, and two Civilian puisne Judges (one British and one Indian allowed the appeal, and reversed the decree and order of the District Judge. The Maharaja then appealed (against the decree of reversal by the Patna High Court) to the Privy Council. Both parties to the appeal engaged so many eminent lawyers, for the hearing in the Privy Council, that Reuters sent a special message to India, at the time of the appeal being heard, that to provide accommodation for all the lawyers engaged by both sides, their Lordships had to remove from their room, for the first time in the history of the Privy Council, all the book-cases, and much of the other furniture, to be able to provide the large number of seats required. The hearing of the appeal lasted for weeks, but the case was ultimately compromised, to the disappointment of many engaged in the case. I was the principal witness on behalf of the defendant on perhaps the most important issue in the case, in the trial court, an incident in my career to which I shall refer later, at some length, as it is of great interest.

The only other lawyer friend of my father's whom I shall mention was a Muslim gentleman of the highest position and distinction, Quazi Zahural Huq. He was older than my father, and had become a great friend of his since my father removed from Benares to Arrah in 1865. So great was their friendship that the Quazi Saheb used to meet my father almost daily, and my father also used to visit him frequently. It was not customary in those days, as it is now, for educated Hindus and Muslims to dine together, and I do not remember to have ever seen my father and the Quazi Saheb sharing a meal together. But

that made absolutely no difference to their true and genuine friendship. They were, in spite of their not having taken a meal together, the best and closest of friends. Theirs was not a friendship of stomachs but of hearts. They were linked together not only in their intellectual pursuits, but also in their spiritual convictions - my father as a Vedantist and the Quazi Saheb as a Sufi - and so shared each other's ideals and aspirations, and also joys and sorrows. In fact, their friendship was so genuine and sincere that it could be rightly described in the words that Shakespeare had put into the mouth of Hamlet in his advice to the players:-

"The friends thou hast and their adoption tried,
Grapple them to thy soul with hoops of steel."

Of the two high officials, who were great friends of my father's, one was Syed Wahiduddin, a member of the Provincial Judicial Service, and the other, Syed Waris Ali, a member of the Provincial Executive Service. In those days transfers of officials-specially of Indians-were made at long intervals, and one generally posted to a district headquarters could reasonable look forward to stay there for many years, ranging from ten to fifteen. Accordingly both these officers stayed at Arrah for quite a long time an age, so to say. Both were recipients of the title of "Khan Bahadur" in recognition of their work by Government. Wahiduddin was a Bihari, while Waris Ali was technically a non-Bihari, as will appear in the sequel. Wahiduddin was connected by marriage with a well-known family at Neora, a village near the Dinapore railway station, on the East Indian Railway-some residents of which village long played a prominent part in the intellectual and political history of modern Bihar. Wahiduddin died at the advanced age of ninety, on my return from England after call to the Bar, in 1893. While stationed at Arrah, he used to come frequently to my house, when I was a student at school.

Of the four sons of Wahiduddin the two most prominent were ("Nawab, Shamshul Ulema") Imdad Imam, and ("Khan Bahadur") Fazal Imam. The latter died comparatively young in 1899. He was a great social figure, at Patna, for about a quarter of a century, and occupied during that period the highest position in the civic life of the capital of Bihar, as Vice-Chairman of the Municipality. He was also nominated, by the Lieutenant-Governor of the province, a member of the "Bengal Legislative Council"-as the Legislature of the Lower Provinces of Bengal, Bihar and Orissa was then popularly designated, in common parlance. But apart from his public activities, he was the uncrowned king of the social life of Patna. Scarcely a week passed when no important social function was held at his house - a garden party today, a tea party tomorrow, and a dinner party the next evening. He was popular with all classes and sections of the people, and his premature death at the age of forty-six was mourned throughout the province of Bihar.

"Nawab" Imdad Imam, the eldest son of Wahiduddin, who died at the advanced age of eighty-six, was born in 1850 and passed away in 1936. He was the most versatile man in Bihar that I came across. He had taken in early youth to the profession of law, but after trying his luck at it for a couple of years, he forsook it for ever; and applied his great talents to other pursuits in which he distinguished himself. He was a most eminent physician, and though he had not taken a degree in medical science, he practised successfully various systems of medicine-Ayurvedic (Indian), Unani (Ionian or Arab-Greek), and Homeopathy, but he had no faith in Allopathy. He was a scholar of English, Arabic, Persian, Urdu and Hindi, He wrote excellent verses not only in Urdu but also in Persian. He wrote a number of prose works of great utility in Urdu, and also some in English. In fact, for nearly half a century he represented the culture of Bihar at its best. He was the father of Sir Ali Imam[47] and Mr. Hasan Imam[48], each of whom had a highly distinguished career-the former as a publicman, advocate, Law Member of the Government of India (1910-15), and afterwards as the President of the Executive Council of His Exalted Highness the Nizam of Hyderabad; while Mr. Hasan Imam proved a capable and independent Judge of the Calcutta High Court for some years, and was afterwards the acknowledged leader of the Patna High CourtBar. Khan Bahadur Wahiduddin used to bring frequently to my father's house at Arrah, both his (grand)-sons (sic), and according to the then prevailing custom in Bihar I used to call them "uncle".

Wahiduddin, who-as stated above-was married at the village, Neora, had settled down there, and consequently his descendants were know as the members of "Neora family". But the particular family into which he was married was a

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47 Imam, Syed Ali (1869-1931); belonged to a famous Shia family Neora, Patna; who was among the first Indians and perhaps the first 'Bihari' to receive English education; educated at Arrah and Patna; went to england, 1887; called to the Bar, 1890; started practice at Calcutta High Court, 1890; Trustee M.A.O. College, Aligarh, 1908; President, All-India Muslim League Session, Amritsar, 1908; fellow, Calcutta University 1909-12; member, Bengal Legislative Council 1910-15; Vice-President, All India Muslim League Session, Delhi 1910 and Lucknow, 1916; resumed practice at Patna High Court, 1916; Judge, Patna High Court, 1917; member, Governor's executive Council, Bihar and Orissa, 1918-19; First President of Executive Council, Hyderabad State, 1919, resigned 1923; member, All Parties Conference Committee, 1928; took part in the Civil Disobedience Movement, 1930-31; President, Swadeshi league of Patna, 1930 and Nationalist Muslim Conference, Lucknow, 1931.

48 Imam, Syed Hasan (1871-1933); younger brother of Syed Ali Imam; educated at Arrah and Patna; went to England 1889; called to the Bar, 1892; practised at Patna and Calcutta High Courts; Judge, Calcutta High Court, 1912-16; resumed practice at Patna High Court, 1916; Joined the Congress, 1908; President, Bihar Provincial Congress Committee, 1909; President, Bihar Student's Conference, Gaya, 1909; opposed to the separate electorates for Muslims, Allahabad Congress, 1910; took active part in the Home Rule Movement, 1916 and in the Rowlatt Satyagraha, 1919; President, Bihar Provincial Conference, 1917 and demanded the release of Mrs. Annie Besant; President, special Congress sessionBombay, 1918; led the Muslim deputation to England for revision of Treaty of Serves with Turkey; worked for Hindu-Muslim unity; led the procession at Patna for boycott of the Simon Commission, 1928; actively participated in the Civil Disobedience Movement, 1930-31; Secretary, Swadeshi League, 1930.

distinguished one. His brothers-in-law (his wife's brothers) were prominent in Bihar for quite a long time. The elder one (Khan Bahadur) Syed Nasiruddin, a member of the Provincial Executive Service, rose to be the Secretary of the Board of Revenue of the Lower Provinces. Subsequently he went to Bhopal as the Prime Minister of that State, and was awarded at the Darbar held at Delhi, in December 1911, by King-Emperor George V, the Insignia of the Companionship of the Exalted Order of the Indian Empire. He was a highly successful administrator. Syed Nasiruddin's younger brother, Syed Sharfuddin[49], was even more successful. He was a member of the English Bar, and enjoyed, for years, an extensive practice throughout the Province. He was the first Bihari to be elevated to the bench of the Calcutta High Court, in 1907, and on attaining the age of sixty in that court, he was given a year's extension, and was brought over as a Judge of the Patna High Court, on its establishment in1916. The Neora family had given as many as four Judges to the Calcutta and the Patna High Courts-Mr. Syed Sharfuddin, Sir Ali Imam (who sat on the Bench for a short time after his retirement from the Law membership of the Government of India) Mr. Hasan Imam, and Mr. Jafar Imam, who is the third son of Sir Ali Imam, and was elevated to the bench of the Patna High Court in 1943. The family thus showed remarkable legal talents, and I do not know of any other, within my long experience, which had provided as many as four Judges to two High Courts in the Country. This is, indeed, a unique record.

Sharfuddin, though still remembered as a skilful advocate was not regarded as a great judge, and he had come to be known for many years before his retirement, as a sleeping partner, from the fact that he often (like that renowned Judge, Mr Justice Stareleigh, who tried the famous case of *Bardell vs. Pickwick*[50]) conveyed to the Bar that he heard arguments most carefully and pondered over them most thoughtfully with his eyes closed! This habit of his led him sometimes into *contretemps* of no mean order. Of many such incidents, which I can recall, I shall record but one. Sir Rash Behary Ghose came to appear in the Patna High Court in an important second appeal, on behalf of the respondents,

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[49] Sharfuddin, Syed Mohammad (1856-1921); belonged to the famous Shia family of Neora; educated at Patna and London; called to the Bar from Middle Temple in 1880; on his return to India set up practice first at Chapra and later at Patna and then at Calcutta High Court; associated with the Congress since its inception in 1885; attended the second session of the Congress at Calcutta in 1886; contrary to yed Ahmad Khan, he urged the Muslims to join the Congress; elected Vice-Chairman, Patna District Board for three times; took active part in the agitations for creation of separate province of Bihar and Orissa; member, Muslim deputation to Lord Minto in 1906 at Shimla; presided over the All India Mohammadan Educational Conference, 1906 at Dacca; apponted Additional Judge, Calcutta High Court, 1907; became first Bihari judge in 1908 and served the Calcutta High Court till March 1916; Judge, Patna High Court, 1916-19; appointed member of the Executive Council, December 1919.

[50] This is a fictional legal case from the famous novelist Charles Dickens' work, The Pickwick Papers. Sachchidanand Sinha is making a humorous analogy on Justice Sharfuddin's "fictional" diligence.

in which I appeared for the appellants. Just as I began to open the case, Mr. Justice Sharfuddin fell asleep. He slept right through my arguments, and also Sir Rash Behary's-which lasted over a couple of hours. But he woke up fully refreshed, whilst I was replying. When I sat down the Chief Justice (Sir Edward Chamier) turned to the stenographer to deliver the judgment of the Court. Just then Mr. Justice Sharfuddin sweetly interposed:-"But we have not heard Sir Rash Bahary for the respondents" Sir Edward-a great wit-as sweetly said:-"Sir Rash Behary has left his case to the Court to decide as we think we should." Well, then it does not matter, commented Mr. Justice Sharfuddin-amidst the laughter of the whole court, but he never knew what the laughter was about!

Another great friend of my father's, who also was a Muslim was Syed Waris Ali, who was a senior member of the Provincial Executive Service. My father was fond of recalling and telling me of his virtues, even years after his death. Waris Ali-who also had received the little of Khan Bahadur-was the elder brother of the Right Hon'able Dr. Syed Ameer Ali, long a Judge of the Calcutta High Court, and afterwards the first Indian to sit for many years as a member of the Judicial Committee of the Privy Council. He died, in London, at the age of eighty, in 1928. During my visits to England, I used to call on him, and knowing as he did of my father's intimate relations with his elder brother, he always welcomed me. He cherished in high esteem and regard the memory of his brother, as evidenced by his having dedicated to "Syed Waris Ali of Arrah" the first edition of his famous book, the *Spirit of Islam*, published, in 1873, in London.[51] I had known Syed Ameer Ali, since 1893, when (on my return from England after my call to the bar) I went down to Calcutta to be enrolled as an Advocate in the High Court. He was then a Judge of the Calcutta High Court. He told me of his frequent visits to Arrah, while his elder brother was posted there as a Deputy Magistrate and Collector, and of his visits to my father in his brother's company. He also told me a good deal about his family, and his early career at the Bar, and of his struggles before he attained success in the profession. I learnt from him that his family hailed from Lucknow. His father had, by his first marriage a son-Syed Waris Ali, who after having served long in Bihar, particularly at Arrah, settled down there,, until he came to be known as "Syed Waris Ali of Arrah", where his descendants are still living.

Later, Syed Waris Ali's father emigrated to Orissa and married, at Cuttack, and it was there that Syed Ameer Ali, was born, in 1849. The family then settled down in Calcutta, and at Hooghly, that Ameer Ali was educated, and took the M.A. degree of the Calcutta University before he sailed for London, where he was called to the Bar, in 1873, by the Hon'ble Society of the Inner Temple, being the first Muslim Barrister in the whole of India. Later, during a visit to England, Syed Ameer Ali got engaged to Miss Konstam (an English-women of Jewish

[51] Syed Ameer Ali, The Spirit of Islam: A History of the Evolution and Ideals of Islam, London: Christophers, 1922 (revised edition).

persuasion), and after his marriage with her, they settled down in Calcutta, where Syed Ameer Ali practised, and held for some time the post of a Presidency Magistrate, until in the early nineties of the last century he was elevated to the Bench of the High Court. Mr. Ameer Ali's Brother-in-law, Mr. Konstam, was a member of the Indian Civil Service and was posted as Subdivisional Magistrate in North Bihar. In that capacity he was trying a number of villagers who were charged by a British manager of an Indigo concern with having committed a riot. The complainant saw nothing wrong in writing a private letter to Mr. Konstam suggesting that the accused being desperate characters, who had the hardihood to attack a British planter's factory, the arm of law should lay them by their heels, and inflict upon them condign punishment. Mr. Konstam-who had been addressed, in that letter as "My Dear Konstam" by the planter- carelessly left it on his office table, and his court clerk brought about a hornet's nest about the poor Magistrate's ears by quietly placing that letter on the file of the case, where it was discovered by the petitioners' counsel in the Calcutta High Court. There was then a tremendous uproar from the Bench, the earth reeled, and the Gothic cathedral-shaped Temple of Justice felt shaken to the very ground. The petitioners were acquitted immediately, as the result of the "My Dear Konstam", letter. It is still the favourite phrase, in regard to all judicial vagaries, of the nationalist journalists in India.'

Of the two sons of Syed Ameer Ali, the elder one passed out into the Indian Civil Service, was posted to the United Provinces, rose to be a District and Sessions Judge, retired early on pension, and had settled since in London. He appeared, in 1933, before the Joint Parliamentary Committee on the Hoare India Bill, to claim for the sons of an Indian father and a foreign mother the legal status of an Indian, as opposed to that of an "Anglo-Indian", in the new sense of the term, which view was, I believe, accepted by the Committee. Since then he had lived in retirement, to emerge occasionally as the writer of a "Letter to the Editor", in *The Times*, in which (forgetting his Indian nationality) he had indulged in more or less acrimonious criticisms of Indian nationalists. Syed Ameer Ali's second son (Torick) followed in his father's footsteps, and was called to the Bar. He had been a Judge of the Calcutta High Court for some years, and had risen to be, more than once, the Acting Chief Justice. If, in the fullness of time, he is made the permanent Chief Justice, he will have succeeded in capturing his father's seat on the Bench, just as did Mr. Justice Lalit Mohan Banerjee, when he was elevated to the Bench of the Allahabad High Court, of which his father, Sir Pramada Charan Banerjee, had been a very distinguished judge.

Before concluding this chapter, I may mention one important aspect of life at that time, which had since ceased to exist, due to inevitable causes which were bound to be operative in later days. I refer to the cultural unity, which then existed between the educated Hindus and Muslims, by reason of their possessing

a knowledge of Persian. Though correspondence, and transaction of business in courts and offices, had ceased, since 1838, to be conducted in Persian, when it was formally abolished by Government, nevertheless that highly polished and refined language long retained a dominant influence on cultural life in Upper India. The study and influence of Sanskrit had long since fallen into decadence; modern Sanskritzed Hindi had not been developed by then, and Urdu alone held the field. Those educated in Persian often talked to their friends in that language, as we do now in English. My father not unoften talked to his friends in Persian. I myself found it easier to pass my matriculation in Persian than in Sanskrit, which I abandoned. But Persian had long since became unknown in Upper India, except amongst a handful of schoolmasters and college professors.

End of my school career at Arrah

The year 1887 saw the celebration of the Golden Jubilee of Queen Empress Victoria. It was an occasion for great festivities all over the country, not only amongst the adults, but perhaps even more so amongst the students in the country. I was at that time in the pre-matriculation class, and having washed my stigma as an incompetent scholar in Sanskrit, and built up my reputations as a good student of Persian, I was justly regarded as one of the intellectuals in the school. The celebration of the Jubilee in the Arrah Zila School was a great function, consisting of meetings, dramatic shows, sports of various kinds, feasts, festivities, and other things allied thereto. Some of the students, including myself, were also given prominent seats in the local Durbar held by the District Magistrate, over which he himself presided. One of the items at this Durbar was recitation in English, Hindi and Urdu by the students of the school. The most prominent place in it was assigned to me, since I was credited with possessing faultless pronunciation in English. The two passages given to me for reciting, were the orations of Brutus, and of Mark Antony, from Shakespeare's *Julius Caesar*. I was awarded special prizes for elocution for each of these two recitations. In fact, ever since I had been promoted to the fourth standard, I was called upon to recite poems at almost all prize distributions of the school and other similar functions, mostly in famous dialogues like *Alexander and the Robber*.[52]

In 1882 when the then Lieutenant-Governor of Bengal, Bihar, and Orissa, Sir Rivers Thompson, visited the school, I was required to recite before him a poem specially composed for the occasion by the Additional Head Master of the school, who hailed from Bengal, and was a distinguished graduate of

[52] This is probably a textbook reference from his times. There are historical/historical-fictional accounts of Alexander's encounters in India in the popular imagination represented in literature and also films.

the Calcutta University. He affected poetry, and was highly proud of his poetic talents and achievements. I remember now only one single sentence from this great poetical effort of his. It was to the effect: "Take Rivers this poor song of mine". Rivers took it as a poor effort in English poetical composition, and though he exercised great patience in listening to my recitation of this long poem, I felt that it was a failure, not because of anything wanting in me, but in the poet's imagination and fancy.

At the Matriculation examination held by the Calcutta University in that particular year (1887), the percentage of students who had passed was very high, somewhere between seventy-five to eighty per cent, and it was a standing joke amongst us that they had all been allowed grace marks in celebration of the Queen's Jubilee. One of those who had matriculated that year was Ali Imam-afterwards Sir Ali Imam, Law Member of the Government of India from 1910 to 1915, and a distinguished leader not only of Bihar, but of the public life of the country. He did not, however, like the insinuation that he had passed the examination in the first division, not because of any merit of his own, but because of a concession made in connection with the Jubilee Celebration. I remember when I once chaffed him about it, he exercised an elder brother's right to box my ears. At the end of the annual examination, I was promoted to the matriculation class, having topped the list of the successful scholars of that year. I looked forward to pursue my studies peacefully under the guidance of the Head Master who was very kind and good to all of us, and particularly (as I felt) to me, but Fates had willed otherwise. As soon as the school reopened after the long vacation, the Head Master was transferred to another school, and we had to deal with his successor, with whom our troubles began from the very first day.

The new Head Master was reputed to be what is known in India as a "strong" man, who would stand no nonsense either on the part of his subordinates, or of students. At first this rumour, which reached us even before his arrival, alarmed us, but we thought we would wait and see how we fared at his hands. But the very day he came to teach us, he showed his teeth both literally and metaphorically. His two protruding teeth gave his face and feature an ugly appearance; and instead of speaking to us nicely he snarled at some of the students who put some questions to him. Before the class was over, he expressed his conviction that we were all incompetent and worthless. But that was not all; he called upon three students on the ground of their alleged misbehaviour to stand up on the bench, all this cut us to the quick. Our impression was that matriculation class students had a right to be treated on a better footing than the students of the lower classes. Accordingly we resented the treatment meted out to us. After the school hours were over a large number of students of the matriculation class not to confer with one another to settle the line of action to be adopted, if the Head Master persisted in his ill-treatment of us; but we first

decided to make a written representation to him on the subject which I and two others were asked to prepare.

Accordingly, we drafted a petition what would now be regarded by the students of today as a studiously moderate document. This was agreed to, and we three were asked to present it to the Head Master which we did. On receiving our representation he flew into fury, gnashed his teeth, and shouted at us at the pitch of his voice to the following effect: "Oh! You little rascals! So you are going to be the ring-leaders of a conspiracy against me; wait till I teach you a lesson which I shall do as soon I come to take your class today." This was enough. We left him in disgust and despair. He came into the class not long after, and instead of teaching us he addressed a long discourse on good breading and good manners, and threatened to rusticate us all (the whole class), unless we offered him an unconditional apology within twenty-four hours. Our indignation at his ill-treatment knew no bounds. As soon as he was gone, we all struck as if impelled by a common impulse. We all felt that far from our being called upon to apologise to the Head Master for having made a representation to him in the mildest terms, it is he who should have apologised to us, and so there began a tug-of-war which lasted for more than six months, and as a result of it, all teaching was suspended in the matriculation class.

We were a hundred strong belonging to various classes and communities, but we were all united on the point that we should receive better treatment than had been meted out to us. There remained but a few months for the University Examination, and we had done no work as the result of our almost daily warfare with the Head Master. We used to meet frequently to plan our campaign, and at last we felt that we should bring the matters to a head. We decided accordingly to bring the matter to the notice of our parents or guardians. I broached the matter to my father. He was diffident about our taking any drastic step, but I reasoned with him, and brought him round to see the Head Master personally, and to place before him an application asking for a transfer certificate to enable me to join another school. The Head Master spoke sharply to my father, called me a mischievous little fellow, and some other equally good names, and refused to pass any orders on the application. My father said to him that the Head Master's refusal to comply with my father's application on my behalf was rather unfair, and he would report the matter to the Inspector of Schools. This made the Head Master angrier still, and he told my father to do his worst.

As the result of this attitude on the part of the Head Master towards my father, the parents or guardians of almost all the other students presented similar applications to the Head Master on the following day, asking for transfer certificate for their sons or wards to enable them to secure admission in some other schools. The Head Master now found himself in fix; he felt that he had gone too far. He came to Patna and put before the Inspector of Schools his own version of the whole affair, with a view to poison the latter's ears. The

following day he returned and announced to us that Mr. Pope, the Inspector of Schools, would be shortly coming to Arrah to examine us. On learning this, the parents and guardians of the students met together to discuss the situation, and to make a joint representation to the Inspector on his arrival, against the Head Master and his treatment of us. They assembled on the following day in the verandah of the school, but the Head Master did not give them permission to stay there, and so they all had to walk out of the school compound and stay outside the gate. When Mr. Pope arrived, he asked them why they were there, and on being informed that they were the guardians of the students, he asked them to come and wait for him in the school library, which they did. The Head Master then ushered in the redoubtable Inspector, who seemed to us a man of great importance.

We had heard that Mr. Pope was a scholar of the Balliol College at the Oxford University, and also a fine speaker, which certainly he proved to be. He addressed us for more than two hours, and certainly proved himself to be an eloquent speaker. It was the first time in my life that I had heard an Englishman speaking at such length, and with such wonderful felicity. He employed every art and artifice of a trained speaker now threatening, now coaxing and cajoling, now appealing to us. In fact, be left nothing undone to get us to agree to continue our studies in the Arrah School. But we had suffered much and long, the iron had entered our soul, and so we remained adamant, and not one single student was at all influenced by Mr. Pope's eloquent appeal. The next day the Head Master passed a general order refusing to grant a transfer certificate to any of the students, as a result of which all of us left the school, and never went back to the class again. From that time onwards, until another Matriculation class was formed in the next academic year, there was no teaching in the Matriculation class of Zila School at Arrah. We scattered about, and joined different schools, at various other places. I came immediately to Patna, and took my admission in a famous school at that time, which is still not only in existence, but is flourishing, called T. K. Ghosh's Academy. Thus ended my career as a student of the Zila School, at Arrah, my native town; and a new chapter opened in my life with my taking admission into T. K. Ghosh's Academy at Patna, when I was nearing the completion of sixteenth year.

Several decades had passed since the happening of the incidents recorded above. Time had brought about many healthy changes in the relations between the students in our schools and their teachers. Many Government, schools have now well-organised hostels attached to them; great attention is now paid by the school authorities-especially in Government schools - to physical culture, the standard of efficiency of the staff had also been appreciably raised; and, on the whole, the general conditions in our schools are now so much better compared to what they were in the eighties of the last century, when I was studying in the Zila School, at Arrah. But nevertheless much remains to be done before

there would come to obtain in our schools that high cultural standard, which we still associate in our mind with the great institutions at Eton, Harrow, and Winchester. In recent years a few schools have been established by patriotic Indians, or enterprising Indian educationists, where educations is imparted to the children to well to do classes on lines similar to those which obtain in some of the famous schools in Britain; but their number can still be counted at one's fingers end. Nevertheless our schools are now better run than when I was a school student.

My School Career at Patna

I took my admission into T. K. Ghosh's Academy, at Patna, in October 1886. This institution had been founded, in 1882, by an enterprising Bengali educationist, whose name it still bears, but from sometime before I joined it, it was under the control of Baldeva Palit, a wealthy Bengali gentleman settled at Patna, who was interested in the spread of English education. It had a good staff of teachers, and it was, therefore popular with the students and their parents and guardians. At the time I was admitted into the school, Baldeva Palit had practically retired from its direct management, due to advanced age, and its control had devolved on his son, Jadunath Palit, who was running it efficiently. The Head Master of the school, at that time, was Gopal Chandra Bose, who was a well-known scholar of English, having headed the list of successful candidates at the Master of Art Examination of the Calcutta University. The other teachers on the staff were also competent and experienced persons.

The trouble, however, with us, who had joined the school without transfer certificates, was that we could not be allowed to appear at the matriculation examinations without the special permission of the Inspector of Schools. Now this officer's authority having been openly defied nay, flouted-by us not only was he not willing to allow us to be admitted into another school, but had moved Sir Alfred Croft-the Director of Public Instruction in the Lower Provinces of Bengal, Bihar and Orissa at that time for an order of rustication against all the students of the Arrah Zila School, who had joined other institutions without taking the transfer certificate. The Director, knowing nothing of the matter, and acting only upon the statements contained in the Inspector's report, had passed an order of rustication against all of us-nearly one hundred students-who had joined other schools without having obtained a transfer certificate.

But Jadunath Palit, the managing proprietor of the Academy, was a man of considerable strength of character, and also possessed great influence in high official circles, and he took up our cause in right earnest, both in our interest and in his own. His own interest was obviously bound up with ours. He knew that once the order of rustication against us was cancelled by the director, on

his representation of our case, his institution would naturally come to acquire a tremendous reputation, particularly amongst the students throughout the Lower Provinces. Accordingly he deputed the Head Master to Calcutta to canvass individually each member of the Calcutta University Senate, and Syndicate. Before going to Calcutta on this errand, the Head Master prepared, and got printed for circulation, a pamphlet containing all the facts and circumstances in support of our case, from the time that the new Head Master of the Arra Zila School had arrived until the date of the order of rustication, and containing the details which have been set forth by me. But he was fighting for us against desperate odds. On the one hand, there were ranged against him not only the Head Master of the Arrah school, but the redoubtable Mr. Pope, the Inspector of Schools, and also Sir Alfred Croft, the Director of Public Instruction-whose order was sought to be impeached, on the other hand, there was behind him the support of Jadunath Palit working incessantly from Patna, encouraging him with not only advice but also with ample funds.

Palit's efforts, ably seconded by our Head Master who was approaching almost daily every Senator and Syndic of the Calcutta University bore fruit at last. The latter succeeded, by means of his strenuous effort, in securing the support of more than half the number of the members of the Senate, and almost all the Indian non-official members of the Syndicate, with the result that it came to be regarded as more or less a political question; a question between Government officials and non-officials. The Syndics and the Senators who had been persuaded to befriend our cause waited in deputation upon Sir Alfred Croft, and discussed with him our case at considerable length. They went the length of telling him that if the order of rustication passed by the Inspector was not revoked by him, they would table a resolution on the subject for discussion at the next meeting of the Syndicate, and later at the Senate itself. Sir Alfred Croft was evidently impressed with the earnestness displayed by such a large number of Syndics and Senators. He took time to consider what he should do, and to the surprise of everyone concerned in the affair, he cancelled the very next day his order of rustication, substituting for it that of a fine of ten rupees to be paid by each of the students who had left the Arrah Zila school without a transfer certificate.

Our Head Master, who was staying all the time in Calcutta, sent a long telegram to Jadunath Palit, who communicated it immediately to the Additional Head Master, who was in charge of the school, in the absence of the Head Master. The news of the cancellation of the rustication order spread like wild fire not only in the school, but throughout the length and breadth of Patna, as it had become a matter of considerable public interest. All the students of the Matriculation class of the Academy held a meeting to congratulate the rusticatees on the cancellation of the rustication order. But while all this was highly gratifying to us, the difficulty we were faced with was that but three weeks

remained for the test examination; and we had spent all our time and energy in fighting out our case, but had not touched our books for several months! There was now no time to lose, and all of us applied ourselves diligently to our studies, but it was obviously impossible to do all the text-books, in the various subjects, during the short interval of three weeks at our disposal.

I, therefore, decided to apply myself to the study of only such subjects (as for instance Mathematics) in which I was deficient, and not to English in which I was regarded as fairly proficient. At the test examination I could not answer even one single question in the paper on grammar and composition, except the last question which gave us the choice of writing an essay on any one of the four subjects mentioned in it. The last of these four was "A Moonlight Night", and I let myself go on it, instead of attempting to answer any other question. I devoted all the three hours at my disposal to writing an essay on a moon-light night. I found later that I was wise in my decision. The Head Master, who examined my paper told me that when he found that I had answered no question, but only written an essay, hi first impulse was to declare me having failed in English. But he said, that as he read my essay further and further he was highly impressed with it, and gave me full marks in it, with the result that, with the marks secured by me in other subjects, I was declared to have passed fairly creditably in the test examination, and was sent up for the matriculation examination of the Calcutta University to be held in March, 1888. I worked very hard during the period of two months that remained between the test and the University examination. Not having studied as well as I should have done, I never expected to pass in the first division, but I thought I might succeed in the third division. My calculation turned out wrong. I was attending a wedding, at a place in North Bihar, in May 1888, when a telegram was received from Calcutta, intimating that the Matriculation results had been declared, and that I had passed in the second division! Thus ended my school career, if not gloriously, at any rate not quite ingloriously. I felt elated at my success, since it would enable me to call myself "an under-graduate". And thus another chapter of my life was to open with my taking admission in the first year class of the Patna College in July, 1888.

Though I passed in the second division, for reasons set forth above, my knowledge of English, and my general proficiency, were well above the average that obtained amongst matriculated students; while my general knowledge-especially of Indian public affairs was of a much higher standard than that of my fellow-students. As the result of my reading a number of newspapers and journals, ever since my father had put me in the way, I had come to take considerable interest in the study of public questions. My imagination had also been fired by Indian nationalism, ever since I had read the reports of the proceedings of the first session of the National Congress-held at Bombay, in 1885-and of the two annual sessions that had followed it, at Calcutta and Madras, respec-

tively. I had developed into an omnivorous reader alike of inspirational and informative literature- instead of limiting my reading only to the text-books prescribed by the University for the Matriculation examination. Also, I read all the books I used to get each year as prizes for standing high at the annual examinations; and besides them I purchased some books almost every month out of my pocket-money. I had thus come to possess a fairly decent library for a Matriculation student. Altogether, I felt that by reason of my extracurricular studies in literature, and the stock of general knowledge I had come to possess, I was far more fitted than my compatriots for receiving training in College. Thus mentally accoutred I sought admission into the first year class of the Patna College in July, 1888, and was enrolled as an under-graduate.

6. My Career At The Patna College

In July, 1888, on the reopening of the Patna College, after the summer vacations, I had taken the first year class as an undergraduate. The Patna College stands today in its main building, exactly as it did in 1888. The central block, a two-storied building, is believed to have been at one time a Dutch factory, and the two wings were added much later, when the College was opened in 1865. The chief feature of the central block is a disproportionately long and narrow hall, which used to be utilised for many years for holding Darbar by the Lieutenant-Governor, or the Governor, of the province, as also for holding meetings of the Legislative Council, until the completion of the special building for the Legislature. The number of students in the first year class was about two hundred. Mr. A. Ewbank, a famous scientist, was the Principal of the College at that time. A son of his was a member of the Indian Civil Service, and served in the Bombay Presidency, and after-wards also under the Government of India. Mr. Ewbank used to take the Physics class for the first year's students. This class used to be held in the detached building-called the Science Laboratory-containing a semi-circular gallery, which is still in existence; but behind it now stands a large structure, in the same style which did not exist at that time.

Almost all the professors of the College were British, and (except the teachers of Sanskrit, Arabic and Persian) there was only one Indian lecturer at that time. He was Prof. Narendra Nath Bose and he was believed to be not only a jack of all trades but also a master of some. He was indeed, a versatile scholar. Put him on to teach any subject, and he would acquit himself creditably. Whenever a British professor would fall ill, Prof. Bose would be told off to fill the gap, whatever the subject - whether Science, Mathematics, History, Logic or Philosophy-as he was regarded equally well adapted to teach each and all these subjects. Not only that but on one or two occasions when the professor of English fell ill, Prof. Bose was asked to lecture on our English text-book also! Besides Mr. Ewbank, Mr. Mowatt, a distinguished graduate of the Cambridge University, was the professor of Mathematics, Mr. Prothero of history, and Messrs. Parry and Robson of English Language and literature. These five British professors, and Professor Bose, were the six teachers, and Professor Bose, were the six teachers, I came in contact with during my career as a student of the Patna College, in the first and the second year classes.

We could not appreciate the teaching of the British professors by reason of our unfamiliarity with the accent and pronunciation of the English language as spoken by them. Still as time passed I began to understand what they said, and to follow their teachings. Mr. Mowatt used to take our class only in Mensuration and Trignometry; while the other branches of Mathematics group used to be taught by Prof. Bose.

Mr. Prothero, the professor of history, came of a distinguished family of scholars, and both he and some other members of his family had achieved success in various literary and journalistic enterprises-one of them having long edited the famous *Quarterly Review*. We were supposed to have done with the study of Indian and British history during our career at school, and so Mr. Prothero used to teach us the histories of Greece and Rome, in which few of us were seriously interested at our age. The two professors who were popular with us were Messrs. Parry and Robson. Mr. Parry was on the verge of retirement. He was a short-statured man, plump but robust, with what is called in India a "French beard". He was a vivacious teacher, and had lately married a lady considerably younger than himself. It was our impression that his lectures in the afternoons were livelier than those in the morning hours, because his butler told us that "his Saheb" used to fortify himself at lunch with a glass of sherry or port.

Mr. Robson was one of the handsomest Englishmen I have seen. He was a bachelor, and had the reputation for being highly popular in social circles-particularly of ladies, with whom he was a great favourite. Years later I met him at Lahore, where he was the Principal of the Government College. He had metamorphosed himself by then into a married man, and looked worn out. He recalled with much pleasure the days when I was his pupil at the Patna College, in the years 1888 and 1889. As regards the books that these two professors of English used to take they included, amongst others, in prose the *Essays* of Sir Arthur Helps[53], and in poetry Scott's *Marmion*[54]. Mr Robson used to take prose and Mr. Parry poetry. Mr. Robson was a fairly dull teacher, and we did not make much headway with Help's *Essays*-particularly with his famous essay on "Organization". Mr. Parry being a lively teacher used to make a greater impression on us when taking *Marmion*. It was thus that I completed my education in the first year class, and was promoted to the second year, after I had sat and done well at the annual examination held in April, 1889.

On the re-opening of the Patna College, in July 1889, I found myself promoted to the second year classes of the intermediate standard, but I had studied for barely three months when I had to transfer myself to the City College, Calcutta. I shall state presently how it came about. During the long summer vacation of 1889, I was at Arrah staying with my parents. I have mentioned in an earlier chapter how I had come to be inspired with the ambition of being called to the English Bar, and also not a mere legal practitioner but a public man. I heard that a fellow-student of mine, in the Arrah Zila School, who had got plucked at the Matriculation, while I had passed, was likely to proceed to England for study, and that his expenses would be defrayed by a leading zamindar (of Surajpura) in the Shahabad district, who afterwards received the title of the

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53 Sir Arthur Helps, Essays and Aphorisms (The Scott Library), London: Walter Scott, 1892 (revised edition; introduction by E.A. Helps).

54 Sir Walter Scott, Marmion, Edinburgh: Adam and Charles Black, MDCCCLV (1855).

Raja. This news at once set me a-thinking, and put me on my mettle, as I disliked the idea of being forestalled by any other Beharee Hindu student. Just then it happened that Pandit Madan Mohan Malaviya of Allahabad-to whom I had been introduced in the previous December, at the time of the fourth session of the National Congress-came to Arrah on a political mission in connection with popularising the work of the Congress. Born in 1861 Pandit Malaviya was in his 28th year. He had taken already his Arts and Law degrees, and before settling down to practise at the Bar, in the High Court at Allahabad, he was editing a Hindi weekly, called *Hindustan*, which was owned by a well-known Congressman and Talukdar of Oudh, Raja Rampal Singh.

Though below thirty, Pandit Malaviya had already acquired a great reputation as a public speaker, not only in English but also in Hindustani. His visit to Arrah, therefore, roused great enthusiasm, but it was naturally welcomed by me most of all. He stayed at Arrah with a near relation of mine, and I had frequent opportunities of meeting him, and discussing with him my plan for going to England for studying law. Though himself a very orthodox Hindu at that time-though many years later he persuaded himself to attend a session of the Round Table Conference, in London, in 1932-he fully sympathised with my desire to proceed to England, but he said that he was not in a position to secure for me any financial assistance from amongst his friends. My difficulties were very great at that time, as not only no Hindu from Bihar had left for England till then, but being the only son of my parents, I was certain that they, and more particularly my mother, would never agree to let me go abroad. However with such encouragement and sympathy, I started, so to say, a correspondence campaign with almost all the leading public men whose names were then familiar to me; and my only occupation at that time was to write, from day to day, numerous letters, ranging between a dozen and a score! I also hunted out names of eminent political leaders, from general and provincial directories, and compiled quite a formidable list of those whom I thought should address. But I scarcely received reply from any one of my many addressees; and the very few who replied to my letter offered me but lip sympathy, and no promise of cash. But though the situation facing me was gloomy I did not lose courage, and went on hoping against hope that I would succeed in the end. And I did!

After finishing his work at Arrah Pandit Malaviya wanted to come to Patna. The question was where he was to stay. He mentioned the names of several prominent Congressmen who had invited him to be their guest, but he felt some difficulty in staying with any one of them by reason of his orthodoxy. I said that he would be more comfortable if he stayed with me in the little house which was then in my occupation, not far from the Patna College and for which I used to pay a monthly rent of rupees two! I was overjoyed when he accepted my suggestion. I brought him with me to Patna as a highly honoured guest. His friends were naturally surprised to find that he had preferred to stay

with me-a mere College student-rather than with any one of them. He stayed at Patna for four days during which he addressed a number of public meetings in various parts of the city, at which his speeches were highly appreciated and admired, as much for their patriotic sentiments as for his remarkable felicity in wielding with equal fluency the resources of English and Hindustani. Being orthodox, Pandit Malaviya used to cook his food in a little verandah in the house, I supplying him all the commodities required by him. I noticed that he was so studious that even while cooking his food he would be poring over the contents of a book in bright red-cloth binding. Unable to restrain my curiosity, I asked him which book it was, and he told me that it was the latest (1889) edition of the *Statesman's Year-Book*[55]! He spoke very highly of the accuracy and soundness of the general information contained in it on the educational, economic, financial and political condition of each state existing at that time. I was so much impressed with what he said of the merits and utility of the *Statesman's Year-Book* that, from the London) till now, I had studied carefully, with great advantage, each annual edition of that very remarkable reference annual. Pandit Malaviya's visit to Patna, and his staying in my house as my honoured guest is a bright passage in my recollections of a long life. In February, 1944, talking to him, at his house at Allahabad, I was agreeably surprised to find him make a reference to his staying with me, at Patna, in 1889, and cooking his food in the little verandah of my house! He was then in his eighty-third year, but his memory was crystal clear, and he remembered all the details of his visit to Patna, fifty-five years back! From that time till now Pandit Malaviya had been a most prominent figure in the public life of the country. As one of the presidents of the Congress, the single-handed founder of the famous Hindu University at Benares, one of the chief organisers of the Hindu Maha Sabha (over some sessions of which he presided), as a renowned public man and publicist, and a skilful debater in the Central Legislature in the proceedings of which he took a very prominent part for years, Pandit Malaviya was a leader of whom India may genuinely be proud.

After two or three months correspondence with a large number of people in the various provinces of the country, I found that I was not likely to succeed in my efforts to raise the necessary funds from them to enable me to proceed to England, although I just wanted enough money to take me to London, i.e., enough for the passage money and the travelling outfit. I knew that being the only son of my parents they would not let me starve, but would send me enough money to prosecute and complete my studies for the Bar, if only I could get away from India. All that I, therefore, wanted was a sum of rupees fifteen hundred (or say roughly £100, at the then normal rate of exchange) at the outside.

[55] The Statesman Yearbooks were published by Macmillan from London as an encyclopaedic compendium of different countries all over the world, but more particularly concerning the British Empire, of which India constituted a major part.

Having failed in my efforts to raise the amount, and having become more or less desperate, I went to Arrah to seek an interview with Mr. Kandhji Sahay, a leading advocate there, who was a co-villager of the zamindar of Surajpura, who was reported to be willing to finance my fellow-student, the news of whose going to England had roused me to action. He was a liberal-minded gentleman of progressive views and, I thought, he might befriend me in preference to my fellow-student, compared with whom, I was, I felt, superior in many respects. Accordingly I went to him of an evening, and found him fortunately all alone. I had taken with me a written note stating in it my ambition to be called to the English Bar, and to be the first Biharee Hindu youth to achieve that end. I was overjoyed to find that not only was he genuinely sympathetic, but was willing to mark his appreciation of my venturesomeness by offering me a sum of Rs. 1,000. I could scarcely keep my feet on the ground when returning home, with that joyful message from him. I had requested him not to mention the matter to any one, and he said that he himself dare not to do so, because if it came to be known to my parents, and the people of the town, that he had assisted me with funds for such an enterprise, he would incur their serious displeasure, if nothing worse.

Accordingly I returned to Patna and at once started correspondence with the famous firm of tourist agents, Messrs. Thos. Cook and Sons, which had a branch in Calcutta. I worked out the details of my scheme, and took a couple of intimate friends into confidence. I was also corresponding all the time with Mr. Kandhji Sahay, and it was agreed to by him that on a certain date in the last week of September, I should go to Arrah to take the money from him and go straight from there to Bombay, to catch my boat, and trust to luck thereafter. But Fates had ordained otherwise; and in spite of all the care and precaution I had taken to keep the matter a secret, it somehow got abroad, and my father came to know of it. In the result, when I returned to my lodge of an evening, after enjoying myself on the Patna Lawn with my friends I found my father looking extremely miserable. He spoke to me as follows: "I have heard all about your project for going to England. Your mother is disconsolate, and by the time we reach home tomorrow, she may have passed away. Please pack up your things, and come with me by the first train tomorrow. You have studied enough by now, and it is not necessary for you to prosecute your studies any further." This was literally "a bolt from the blue"!

I shall not attempt to describe my feelings at the time, but I thought it best to obey my father, and trust to luck for the future. The next morning my father and I reached home. I was grieved to find a complete change in the appearance of my mother. She looked woefully miserable, and I did feel a pang in my heart to see her in that condition. From that day onwards till I was sent down to Calcutta at the end of October, I stayed in my house at Arrah as an object of pity by my father's friends, and relations, and an object of ridicule, if not

contempt, amongst young men of my own age and standing. The very idea that any one born a Hindu should think of going out of the country, was something horrible to the mind of almost everyone at Arrah at that time, and I have no doubt, it was just the same all over the province of Bihar. But while I was pitied, or looked down upon, by almost all the people of the town, a near relation improved the occasion by suggesting to my father that he should get me examined by doctors to satisfy himself that I was not on the verge of lunacy in contemplating such a horrible and scandalous thing as going to London for study! And so the four or five weeks, that I spent at home were perhaps the most miserable period of my life, which I can now recall. It took me about two weeks to get over my mental worry caused by my discomfiture, and the frustration of my scheme; but after some days I calmly re-considered the whole position, and came to some definite conclusions. These were that I should refuse to prosecute my studies in the Patna College, and insist on my being sent down to Calcutta. This was for two reasons, firstly, I knew that if I returned to the Patna College, I would be an object of scorn to my fellow-students, as a do-nothing who desired to cover his prospective failure at the examination by "cut and run"; but even more important than that was the idea that by living in Calcutta (from which port boats sailed regularly for London), I might be able somehow, and at sometime, to succeed in my project for going abroad, these two considerations-and more particularly the latter-conduced to my decision to continue my studies, if at all, in Calcutta, and not at Patna.

Accordingly, when after a fortnight or so, my father mentioned to me that I should forget the past, and apply myself assiduously to my studies at the Patna College, on its re-opening after the autumn vacation, I told him firmly that I had made up my mind not to go to Patna, but to stay at home all my life, unless he agreed to send me down to Calcutta. My father was most unwilling to do so, and my mother was even more reluctant. There were consultations and discussions not only between my parents and myself, but between my father and mother, and also between some of the near relations and friends of the family. The struggle was long and serious, but I proved so firm in my decision, and so stubborn in my resolution that in the end my parents gave in; for they naturally preferred to give me one more chance of passing my examination and taking my degrees, in due course, rather than keep me at home without any education worth the name. Accordingly arrangements were made to send me down to Calcutta, but it was insisted upon by my parents that I should stay there with the sons of my first cousin, who represented for many years, as agent in the Calcutta High Court, the affairs of the Dumraon estate, and on whose retirement his two sons had taken his place-the elder one as the agent in his father's place, and the younger one as an advocate of the High Court. It was the latter, the advocate, who, on somehow or other coming to know of my intentions to go abroad, had-as I came to know later-betrayed me to my parents.

Naturally, therefore, he was considered by my father as the fittest person to be my guardian in Calcutta.

And so of an evening early in October, 1889, I found myself, accompanied by a servant, in a passenger train, bound for Calcutta. The Calcutta High Court was then closed for the long vacation and was to re-open by the middle of November. My cousin's sons, with whom I was to stay, were not in Calcutta, but at our ancestral village; and on my arrival at Howrah-then, as now, the nearest railway station for Calcutta-I drove (across the famous pontoon bridge at Howrah) to 119 Ripon Street, the residence of Mr. Saligram Singh, the leader in the High Court of the Beharee section of the Indian Bar, there being then no practitioner from Behar, who was a member of the English Bar. Mr. Singh also was not in Calcutta at the time, but a younger son of his, who proved years later a highly successful advocate in the Patna High Court, welcomed me and did the honours of the house, on his father's behalf. I stayed with him for about six weeks, and re-moved to the house of my nephews on their return to Calcutta, on the re-opening of the High Court by the middle of November.

7. My First Visit to the National Congress

THE most remarkable incident, in my career as an under-graduate, was not so much the training I received as the visit I paid to Allahabad, in the Christmas week of 1888, to attend, as a visitor, the fourth session of the Indian National Congress, held under the presidentship of a distinguished British merchant and an ex-President of the Bengal Chamber of Commerce, Mr. George Yule. The first session of the Congress, which was held in the Christmas week of 1885, and at which less than hundred persons were present-though they were the most cultured, the most advanced, and the most patriotic Indians had passed almost unnoticed in Bihar; but its second session, which had been held in Calcutta, in 1886, under the presidentship of Dadabhai Naoroji-rightly described as "the father of Indian nationalism, and constitutional agitation"- had attracted notice. While no one from Bihar had attended the first of the Congress, Calcutta being near-and also at that time not only the capital of India, but also the capital of Bihar-several Biharee delegates attended that session, and amongst them there were three from my native town of Arrah-one of whom was my first cousin and the other two, my father's friends. On their return from Calcutta, they gave me a vivid and glowing account of the proceedings of the Congress, which fired my imagination. They told me how a venerable and distinguished scholar, Dr. Rajendra Lal Mitrs, as the Chairman of the Reception Committee, and Dadabhai Naoroji, as the President of that session, had eloquently spoken in their addresses of nationalism and patriotism as the great ideals to be adopted by all educated Indians.

I also read detailed account of the proceedings of the Calcutta session in *The Indian Mirror*, the only Indo-English daily[56] then in Calcutta, which enjoyed a unique position and influence, as it was edited by a great patriot, Narendra Nath Sen, who was a close relation of the great religious and social reformer, Keshab Chandra Sen, whose name was quite familiar to us, more for his eloquence than for his reforms.

The Indian Mirror published detailed reports of the proceedings of the Congress which were devoured by me, and my fellow-students, with great avidity, interest and enthusiasm, and so I made up my mind that whenever a session of the Congress was held in Upper India I would make it a point to attend it. Unfortunately for me the session of the next year (1887) was held at Madras, and it was impossible for me, to attend it, owing to the long distance of Madras from Patna and also because I was involved in my affairs as a rusticated student, for my delinquencies against the Headmaster of the Arrah Zilla School. But I read carefully the proceedings of the Madras session-specially the highly

[56] This is a specific usage by Sachchidanand Sinha depicting an English daily run by Indians.

nationalistic presidential address of Mr. Badruddin Tyabji (a great Muslim leader) and became a confirmed Congressman in spirit. I was delighted to see it announced that the next session of the Congress would be held in the Christmas week of 1888 at Allahabad, and made up my mind to attend that session at any cost.

Accordingly, on a cold December morning, in the last week of December, 1888, I started for Allahabad in a "passenger" train. There were no expresses running on Indian railways at that time; the only two train services being known as "mail" and "passenger". The former carried generally first and second class passengers, mostly British, as few Indians travelled in the higher classes-and there was no intermediate class on the mail trains at that time. The journey to Allahabad was uncomfortable and tedious, as a large number of people were travelling by that train, all bound on the same errand as myself, as delegates or visitors to the Allahabad session of the Congress. I reached Allahabad late in the afternoon, when the sun was about to set and drove immediately to the house of my relations, who were living at that time in the area to the north of Muir Central College, which is now the site of splendid hostels attached to the University of Allahabad, which had been inaugurated in the previous year (1887) as a merely examining body, but which has been since 1922 one of the great unitary (that is teaching and residential) universities in the country. The next morning, on which the Congress was to meet, was a busy day for me. A huge pandal had been put up by the Reception Committeee in the grounds of what was then called the Lowther Castle, but which has been known since as the Darbhanga Castle.

Sir Auckland Colvin (the then Lieutenant-Governor of the North-Western Provinces and Chief Commissioner of Oudh) was bitterly hostile to the Congress movement, and he left no stone unturned to thwart the session being held at the capital of the province. Only one month before he had an acrimonious correspondence about the Congress and its object for the establishment of democratic government of India with Mr. Allan O. Hume, the General Secretary of the Congress, which when issued as a pamphlet-called *Audi Alteram Partem* had a very wide circulation. Mr. Hume had retired from the Indian Civil Service after having occupied a high position in the Government of India. Owing to Sir Auckland's attitude, the Reception Committee were unable to secure a suitable site for the holding of the session, and did not know what to do. It was at this stage that the Maharaja of Darbhanga came to the rescue of the Reception Committee, and offered them the use of Lowther Castle building and the grounds. Lala (afterwards Rai Bahadur) Ram Charan Das, a premier citizen of Allahabad, had put up in the Lowther Castle grounds a spacious and beautiful structure, called a "pandal" with accommodation to seat comfortably about 10,000 people. Owing, to the tremendous enthusiasm evoked amongst the educated public in connection with the Congress, the hostility to its being held

by the Lieutenant-Governor, the strong opposition on the one hand of Raja Siva Prasad, C.S.I., of Benares, and of Sir Syed Ahmed Khan, K.C.S.I., of Aligarh, on the other, the Congress delegates had trooped in from even distant parts of the country like Sindh and Madras and their total number was somewhere near 1,500. I had purchased a ticket for Rs. 10, but taking advantage of the want of proper supervision and control on the part of the volunteers-such as is the case even now-I had managed to smuggle myself into the next higher class of those who had paid Rs. 15 for their ticket. From my seat in the fifteen rupees gallery I could clearly see the dais and also hear distinctly many, if not all, the speakers. The visitors' galleries, which were put up tier upon tier, were choked to suffocation. Though the accommodation provided in the visitor's galleries was for about five thousand persons, the huge gathering of visitors, crowding them, comprised a much larger number. As each leader came inside the pandal and walked up to take his seat on the dais, he was cheered to the echo. Everbody inside the pandal was excited at the truly great and magnificent gathering of almost all the great patriotic and intellectual leaders of the country, and all felt that Indian nationalism was at last coming into its own.

The proceedings began punctually at one in the afternoon when the Chairman of the Reception Committee, Pandit Ajodhya Nath, rose to deliver his address of welcome. His was a venerable, figure. Though by no means tall, he looked majestic with his long flowing beard; and dressed in the head-gear and costume, which obtained in Indian society in Upper India in those days, he impressed the audience by his *tout ensemble*. By reason of his high position at the Bar of the Allahabad High Court and also in public life, he attracted considerable attention. He read his inaugural address with great warmth and vigour, but I could not follow much of it, as his voice did not reach the visitors galleries, and there were no microphones, or loud-speakers then in existence. He made, however, a great impression on me by the animated gestures with which he accompanied the delivery of his address at the conclusion of which it was loudly cheered, and enthusiastically applauded. That function over, a number of eminent leaders who had seats on the dais came forward one after another to propose, second, and support the election of Mr. George Yule to the presidential chair. Amongst the speakers the two who made the greatest impression on me were Pherozeshah Mehta and Surendra Nath Banerjee-both of whom I heard for the first time-and who held the manmmoth audience spell-bound by their eloquence. Amidst tremendous cheering Mr. Yule assumed the office of the President, and delivered his presidential address. He had a fine modulated voice, and read out his address distinctly. It made a remarkable impression on that great gathering, because the speaker was the first member of the British community in India to have identified himself openly with the demands of the Congress, while the fact of his having been an ex-President of the Bengal Chamber of Commerce gave to his words an added dignity and pres-

tige. At the conclusion of his address, which was vociferously applauded, the Congress adjourned to the next day, after constituting a Subjects Committee, which was to meet that evening.

The Subjects Committee of the Congress was the first important business meeting of educated Indians which I had occasion to witness. It began its work after tea, at about 6 P.M., and continued till half past nine, when it broke up for dinner. It assembled again at half past ten, and worked continuously till half past two in the morning. I attended it right through, having been smuggled in by a friendly volunteer. I watched its work not only very carefully, but with a keen interest, following closely the speeches made, and more than that the procedure adopted for conducting its business; and I recall, even at this long distance of time, of now nearly 60 years, that I was grievously disappointed at the method adopted by the Subjects Committee in the disposal of its work. To begin with, no one who took part in the debates, or for the matter of that no member of the Committee, had a scrap of any text or draft written out from before, about the matters to be discussed and agreed upon for the next day's work, at the open session of the Congress. There were only speeches, and more speeches, but seldom was an effort made to focus the main point, or discussion, to be able to arrive at an agreed decision, and to record that decision then and there, with a view to getting it adopted by the Committee, and then to pass on to some other subject for consideration.

On the contrary, each subject was thrashed out at enormous length, without any attempt at coming to any definite decision, by focussing the issue on the points involved for consideration. Scarcely any one seemed to be concerned with time limit, and at the end of insufferably long talk, Mr. Allan O. Hume, the General Secretary of the Congress, was requested to draw up a resolution, embodying the sense of the House, as the Secretary understood it, or could gather it from the general trend of the discussion. Absolutely inexperienced as I was at that time in public affairs, it did seem to me a very wrong method of conducting business, and I felt that the proper course was for the mover of each resolution to place a written text, or draft, before the Committee, which should have considered all the texts of amendments sent to the Chairman, and then attempted to come to an agreed decision quickly, and recorded it then and there, instead of leaving the matter to the General Secretary.

Since I attended the meeting of the Subjects Committee of the Congress in December, 1888, tremendous changes had taken place in various respects, in the educational, economic, political and social life of the country, and the provincial angularities and diversities that then obtained amongst educated Indians in many matters-say, in the style of dressing hair, wearing clothes, and in other respects-had been, to a very large extent, obliterated by the levelling influence of English education and western cultural influences. A gathering of educated Indians today presents a much greater uniformity in costume, and several other

subsidiary matters, than was the case in 1888, when even the small number of Parsis wore head-gear in the three or four different styles-to say nothing of the various kinds of turbans, *pugries*, *dastars*, hats, caps, *topies* and, last but not least, the European top-hat-inverted-hat of the Sindhis, which had practically disappeared long since. On the one hand there were the few Europeanised Indian (like the late Mr. W.C. Bonnerjee, the President of the first session of the Congress, held at Bombay in 1885, and several others) dressed faultlessly in European clothes, and with their style of living completely westernised, while at the other end there were pious Muslims in their flowing robes-*abbas*, *jubbas*, and *kabbas*-and orthodox Hindus (particularly from South) in various shapes and styles of costumes, some even habited in grotesque habiliments. Yet all such discrepancies, and many others, had almost completely disappeared during the last sixty years and had conduced to a much greater homogeneity than was then the case.

But I regret to have to say it that scarcely any change, worth the name, had taken place in this long interval in the method of conducting public business in the country, specially at gatherings at which there are no persons, possessing administrative or official experience.

I have attended since 1888 a large number of deliberative assemblies of my countrymen and have had occasion to watch their work at close quarters and I must state my conviction, in the interest of truth, as I conceive it, that the deficiencies and limitations from which the conduct of business suffered in the early years of the Congress, as I noticed it at the Allahabad session in 1888, still largely prevail at meetings of the educated Indians, which impede seriously the smooth conduct of our public affairs. The great proneness of Indian public workers, then as now, to incessant talking, and that too on matters mostly beside the point, and the gross indifference on their part to put down their views on paper, and to submit the written text as basis for discussion, is a great hindrance to quick disposal of work. Such habits, on the part of the members of a business meeting, naturally require a strong and, at times, a more or less assertive chairman. Unfortunately, by far large number of our presidents and chairmen are weak and unassertive, and cannot control discussion within proper limits, with the result that as a rule, it runs into irrelevance, most of the speakers flying off at a tangent. Usually, any attempt either to curtail irrelevance, or to focus the point at issue, is regarded as a gross interference with the speaker's indefeasible right to talk out the existence of the world.

This habit of the educated Indians finds expression not unoften even at the Bar of the High Courts, in spite of the fact that the presence of learned judges on the bench operates to a large extent as controlling factor in the situation. I remember a friend of mine with whom incessant talking, in making his submissions to judges, was the very breath of his nostrils. In presenting an application, with no point in it, to a Judge in the Patna High Court, he spoke breathlessly

for full fifty-five minutes, before the Judge (an Irishman) feeling compelled to intervene, quietly handed over the petition to the Court Reader, as a gentle intimation that he (the Judge) had heard enough of the case, and was not disposed to listen to the advocate any more. The counsel on noticing what he no doubt regarded as an atrociously wrong, if not insulting, conduct on the part of the Judge, exclaimed; "Does it mean, my Lord, that your Lordship is not disposed to hear me further, and is going to reject my application"? The Learned Judge (who was the son of an Irish peer, and a member of the Judicial Committee of the Privy Council, and himself a member of the Irish Bar) warmed up a bit and said; "But Mr. So-and-So, you have addressed me already for nearly one hour, without making a point to satisfy me that your application should be admitted. How long you expect me to hear your further?" The talkative counsel seemed to be astounded at this remark of the Judge, and he declaimed at the highest pitch of his stentorian voice: "One hour, my Lord, one hour, you said; why I have barely opened my lips for a couple of minutes." Roars of laughter, in which the learned Judge himself joined, drowned the subject-matter of the application, which was taken to have been rejected amidst the loud guffaws in which the Judge, the lawyers, and even those spectators (who understood English) all joined. It is true that while eminent leaders amongst the advocates are free from such lapses, the same cannot be said of the vast bulk of the rank and file in the profession, many of whom mistake reiteration, irrelevance, and long-windedness, as commendable features of successful advocacy, and the only method of impressing their clients, if not, judges, that they had done their work efficiently and honestly. While the standard of advocacy in the highest judicial tribunals (like the Federal Court, the High Courts, and the Chief Courts) had been mostly above reproach, there was room for improvement even now in the standard of advocacy in the District Courts, which deal out justice to the vast bulk of the litigants. But so far as our public meetings or committee discussions are concerned (not excluding our legislatures), things have not advanced beyond the conditions that obtained sixty years back.

The Great Congress Leaders in 1888

I shall briefly recall in this sketch some of the great political leaders who were present at Allahabad during the Congress session in December 1888, and whom I saw for the first time. First and fore-most, there was the commanding figure of Pandit Ajodhya Nath, the Chairman of the Reception Committee. The next to take the platform was the Hon'ble Mr. (afterwards Sir) Phiroz Shah Mehta, a member at that time of the Bombay Legislative Council, who proposed formally the election of Mr. George Yule, the President-elect. His was a truly outstanding figure. I have met almost all the great Indian Leaders since then, but I cannot

recall a single one who could be compared with Phiroz Shah Mehta as a towering personality. He commanded immediate respect and attention from that very large audience. Born in 1845, and thus in the prime of life, he was tall, well-built, robust with a fine physique and impressive appearance, embellished with large bushy whiskers. Dressed in a long Parsee coat and not in European costume, though a Barrister, and the now almost extinct sloping Parsee hat, he appeared on the platform as one who came and saw and conquered; and was hailed with incessant cheers, and tremendous applause. His speech evoked tempestuous appreciation.

Sir Phiroz Shah remained the greatest leader of political India until his death in his seventieth year, in 1915; and his warmest admirer was none other than that most respected publicist of his time-Gopal Krishna Gokhale. I remember very well that when proposing a vote of thanks to Sir Henry Cotton, the President of the session of the Congress held at Bombay in 1904, at which Pandit (now the Right Hon. Sir) Tej Bahadur Sapru and I were present as delegates, Sir Phiroz Shah roused such tremendous enthusiasm by his address, that the sedate and sober Gokhale got highly excited, and shouted at me: "Look, look, Sinha, is not Phiroz Shah a born leader of men?" Gokhale's verdict was absolutely correct; for there never has been a greater political leader of the educated, intellectual, and politically-minded classes in the country than Phiroz Shah Merwanji Mehta.

Although later in life I attended many, sessions of the National Congress almost regularly from 1896 to 1919, I do not think that any session of it was more representative than that held at Allahabad in 1888, in so far as it was a gathering of the leading public men of the various provinces of the country.

The Madras Presidency was represented by some of those who, in the fullness of time, came to preside over a session of the Congress; such, for instance, as Ananda Charlu and Sankaran Nair, although the most prominent man in the South Indian Group was that distinguished Barrister, Eardley Norton. At that time, Norton was the leader of the English Bar in the Madras High Court, where his father (John Bruce Norton) had risen to be the Advocate-General. Eardley Norton had great prominence, not only as the leader of the English Bar, but also because of his public and political activities as a pronounced Congressman. About a month before the Congress had met at Allahabad, Lord Dufferin, the retiring Viceroy, had made a highly provocative speech at the St. Andrew's Dinner, in Calcutta, on the 30th November, 1888, in the course of which he had indulged in a diatribe against the Congress, and characterised the educated Indians as a "microscopic minority".

The Viceroy's speech had produced a tremendous sensation. *The Indian Mirror*, of Calcutta, the only Indo-English daily at that time in the whole of Northern India, wrote, from day to day, a series of editorials denouncing Lord Dufferin's speech, which I remember to have read with great interest and

gratification. Those leading articles were also read out at various gatherings of the students of the Patna College. The other Indian papers had also followed suit and written bitterly-worded editorials against the Viceroy's speech. None of them, however, was so denunciatory as was the "Open Letter to Lord Dufferin," which had been published and circulated broadcast by Eardley Norton. It was a piece of terrible invective against the retiring Viceroy, in which Norton had dissected and shown up Lord Dufferin's St. Andrew's Dinner Speech and left, so to say, not even a rag on the Viceroy's back. This "Open Letter" was hailed with the greatest enthusiasm by the Indian Press and the English-knowing Indian Public, and its writer had suddenly become the hero of politically-minded Indians. As such his appearance on the Congress platform-a tall, handsome figure, attired faultlessly in morning dress-was the signal for an uproarious applause, by not only the delegates to the Congress, but even by the visitors and sight-seers who, rising in their seats, cheered Norton to the very echo. Not only I, but the other young men sitting in the group of visitors with me, made themselves hoarse by indulging in tumultuous shouts at the highest pitch of their voice! I had just then completed my seventeenth year!

The Bombay Presidency had also sent an eminent array of distinguished public leaders. There were amongst them, comparatively speaking, two young men who came to occupy, in due course, the presidential chair of the Congress-I Mean Messrs. Narayan Chandravarkar and Dinshaw Wacha. But, perhaps, the most interesting figure form the Bombay Presidency, next to Phiroz Shah Mehta, was Kashi Nath Telang, then a comparatively young advocate of the Bombay High Court. He was even at that early age renowned as a great Sanskrit scholar and had later translated the *Bhagwad Gita* for Professor Max Müller's famous series of Oxford University Press translations called the "Sacred Books of the East". He was elevated to the Bench of the High Court, not long after his appearance at Allahabad, but died young, in 1893. Though not in any sense an orator. Telang was a most skilful debator, and the speech he delivered, as the mover of the resolution in support of the case for constitutional reforms, then on the anvil: made a very great impression on the entire audience. In criticising the St. Andrew's dinner observations of Lord Dufferin, and more particularly also of those of the Lieutenant-Governor Sir Auckland Colvin (in the course of his controversy with Mr. Hume, referred to above), he spoke with a dignity, confidence, knowledge, tact, and sarcasm that raised to the highest pitch of debating skill his great powers as a successful controversialist.

From amongst the leading public men of the Punjab, the most notable was Sardar Dayal Singh Majithia, the founder of *The Tribune*, at Lahore, long since the most influential Indian journal in the capital of the Punjab. Later he created a great trust for administering his charitable endowments for maintaining several institutions for public benefit. But the Sardar was a silent worker, and not a platform speaker. He had seconded, on the first day, the formal proposal for the

election of the President, after which he sat quietly watching the proceedings. The honour of being declared the greatest Punjabi orator unanimously went to Lajpat Rai, who was dressed in the costume of the Punjabi youth of the time-European suit but with a Punjabi *pagri*. He delivered a thundering oration, quoting in support of his views passages from the pamphlet (originally written in Hindustani) by Sir Syed Ahmed Khan, soon after the Mutiny of 1857, and translated into English by two of the British friends of Sir Syed. These passages, which were in favour of the establishment of Legislative Councils of representative Indians, naturally created a great sensation, and Lajpat Rai stepped down from the platform amidst roars of thundering cheers and vociferous applause.

The then North Western Provinces and Oudh had sent to the Congress two great personalities (besides Pandit Ajodhya Nath), namely, Pandit Madan Mohan Malaviya, of Allahabad, and Pandit Bishan Narain Dar, of Lucknow, both of whom occupied later the presidential chair of the Congress. Both these rising young men-who were below thirty, at that time-made excellent speeches on the subject of Constitutional Reforms, and created very favourable impression upon the audience, Pandit Bishan Narain had just then returned from England, after his call to the English Bar; and the fact that instead of appearing on the platform dressed in foreign costume, he wore Indian clothes, was naturally the subject of favourable comment amongst the audience. Pandit Madan Mohan Malaviya was dressed in that unique self-designed picturesque habiliment which has adorned him all his life-for more than seventy years now. He was then in the flush of youth, and held the audience spell-bound during the long time that he took to deliver his speech.

Recalling my impressions of the Allahabad Congress, I cannot omit to record the appearance on the platform of Raja Shiva Prasad, C.S.I. The Raja had retired as an educational Officer of Government, having risen to be Inspector of Schools-a very high position in those days. He had also compiled and translated number of useful books for popularising Hindustani in its simple form, as opposed to the stilted Sanskritised Hindi, and the pedantic Persianised Urdu. For all his good work he had been made a Raja, and had also the Companionship of the Star of India order conferred on him. The Raja was evidently mighty proud of his Star, and appeared on the Congress platform emblazoning it on his breast. Like Sir Syed Ahmed Khan, he also was a pronounced opponent of the Congress.

His theme was "Democracy not suited to India". He was a poor speaker, and made no impression on the Congress. But he was listened to very patiently and shown great consideration. Mr. W.S. Caine, M.P.-who attended the Congress session all through-issued a statement complimenting the Congress, and contrasting favourably its attitude towards the Raja with what might have happened at a political gathering in Britain in similar circumstances. At the same time, I could not help admiring the Raja's courage of conviction and strength of

character in thus trying to beard the Congress lions in their den-though he failed to achieve his object.

The two speakers from Bengal who made the greatest impression on the Congress were, of course, Surendra Nath Banerjee and Bipin Chandra Pal. Surendra Nath had come to acquire by that time the foremost position as a public speaker in the country. Some years before, he had made an extensive tour in Northern India, for political purposes, which had been a tremendous success, and in the course of which he had addressed large audiences at various important centres, between Calcutta and Lahore. This was early in the eighties, and the great success of his mission had impressed Mr. (afterwards Sir) Henry Cotton, then a distinguished member of the Indian Civil Service, to such an extent, that he had mentioned this fact (in the first edition of his well-known book, *New India*, published in 1885) as a proof of the growing solidarity of political unity in the country, and of the development and expansion of the spirit of nationalism in the land.[57]

Coming on the platform with such a high and well-established reputation, Surendra Nath's exordium at once brought down the House. He was cheered to the echo, and his continued forceful oratory soon swept the audience off their feet. The huge pandal, in which at least ten thousand persons were assembled, echoed and re-echoed with deafening applause, and we youngsters felt the satisfaction that we had heard the greatest orator the country had produced. But it is not only the youth assembled in the pandal who were carried away by Surendra Nath's marvellously perfervid eloquence; even the elderly folk who were there literally hung upon his lips. He kept the audience spell-bound for full ninety minutes, and such still silence prevailed while he spoke that you could hear a pin drop. His peroration, in the classical parliamentary style of the 18th century, brought tears in many eyes. Surendra Nath was at that time in the prime of his life; he possessed a stentorian voice, though not well-cadenced, as its drop was rather abrupt. He indulged frequently in gestures which, although not always pleasing, were invariably impressive. But we all felt that in hearing Surendra Nath, we had had the best of our life.

Bipin Chandra Pal was a speaker of a wholly different type from that of Surendra Nath. Being just then thirty, he was younger in age than the veteran orator, whom he followed, and had just then begun to take part in public affairs. But he was fast coming into prominence as a great platform speaker. He was short in physique, and also lean in body at that time. His voice, however, was sufficiently strong to make itself heard throughout the pandal. His gestures were graceful as compared with those of Surendra Nath; and altogether he succeeded in making a very favourable impression on the audience, and came to be regarded as the coming man in Bengal, after Surendra Nath Banerjee.

[57] Sir Henry Cotton, New India or India in Transition, London: Kegan Paul, 1909 (1885, first edition).

In later years he acquired still greater prominence. He also achieved notable success as a journalist.

On the growth of what was then called the extremist Party of politicians, he became one of their recognised leaders; and he was intimately associated in hi public activities, after 1907, with the famous Marhatta leader, Bal Gangadhar Tilak, and the noted Punjabi Leader, Lala Lajpat Rai, with the result that the trio came to be known as Bal, Lal,Pal'. Bipin Chandra held the field as a great leader of the Extremist Party for quite a long time; but for reasons, not necessary to go into he fell from grace several years before his death. His journalistic ventures having failed, he was driven frequently to contribute editorials, also special articles, as a means of earning his livelihood, to the columns of the now defunct Anglo-Indian daily of Calcutta, *The Englishman*, which was not unjustly regarded as bitterly hostile to Indian nationalism, and the political progress of the country. He was elected for some years as a member of the Indian Legislative Assembly, but in spite of his powers of oratory he failed to make an impression on that body, by reason of his association with the Englishman. He died in 1928, when his name and fame as a nationalist had long been almost forgotten in the political circles in the country, in which he had previously played a prominent part.

I have given above my recollections and impressions of the fourth session of the Indian National Congress. It remains to add that through the medium of my relations and friends then living at Allahabad, I managed to get myself introduced to some of the leaders of the Congress. The two from the United Province whom I came to know well enough during my stay at Allahabad were Pandit Madan Mohan Malaviya and Pandit Bishan Narayan Dar, and also Lala Lajpat Rai. Not long after I had occasion to know Pandit Malaviya more or less intimately. He came to Patna some months later in the summer of 1889, and stayed with me as my guest. Pandit Bishan Narayan Dar-who presided over the Congress session held in Calcutta in 1911-remained my life-long friend. Whenever he came from Lucknow to Allahabad, he used to stay with me, as he had been on the friendliest terms with the family of my father-in-law when he and they were in London, during the mid-eighties of the last century and had known my wife since then. With Lajpat Rai, I renewed my acquaintance on the occasion of my marriage at Lahore, in 1894. From that time onward, he and I were on very friendly terms until his death in 1928. It may be noted that of the famous group of extremist trio, only Lajpat Rai presided over a special session of the Congress, held in Calcutta in September, 1920. No such distinction fell to the lot of either Bal Gangadhar Tilak or Bipin Chandra Pal-though both of them were immensely popular leaders of the Congress for many years.

Thus my visit to the Allahabad session of the Congress was a most notable event in my life. Being just over seventeen at the time, fairly well grounded in English, fond of public speaking, and my imagination fired with nationalism,

my experience of the Congress produced a very great impression on my youthful mind, and confirmed not only the choice of my professional career, but also materially influenced my decision about my life-work. Having already made up my mind to be called to the English Bar, I further decided to become a public man, attracted by the personality, position, and prestige of Mr. W.C. Bonnerji, President of the first session of the Congress, held at Bombay, in 1885, whom I saw and heard at Allahabad to Become a Barrister, and also a public man thenceforward became my sole ambition, with the result that I neglected my prescribed class studies, and spent much of my time in the study of literature, and also of newspapers, journals and periodicals, to keep myself *aufait* with public affairs. Ten to one, I would have failed at the intermediate examination had I sat for it. But providence willed it otherwise. And I left India, in December, 1889, while the next session of the Congress was sitting at Bombay under the presidentship of Sir William Wedderburn, for London, to study for the Bar, before the intermediate Examination was held.

8. A Lively Calcutta Meeting In 1889

Although it is now nearly fifty-six years since I was a student in Calcutta in December, 1889, I still vividly recall a very amusing incident which transpired a few days before I embarked for London on board the steamer. His Royal Highness, the Duke of Clarence and Avondale-the eldest son of the then Prince of Wales, after-wards King Edward VII-was on a visit to India in the cold weather of 1889-90, who (but for his premature death) would have succeeded his father as the King-Emperor of India. Naturally much enthusiasm was displayed in connection with his visit throughout the country, and particularly at the places he visited, in according to him a reception worthy of his august position as the eldest grandson of Queen-Empress Victoria. He was to arrive in Calcutta early in January, 1890, and the then capital of India was agog in making preparations for according to the Prince a suitable, reception. Accordingly a public meeting of the citizens of Calcutta was announced to be held in the famous Town Hall of the city, which was to be presided over by Sir Stuart Bailey, the then Lieutenant-Governor of Bengal, Bihar, and Orissa. It was, of course, expected that all the great landlords and titled noblemen of the three provinces would flock to the capital to attend that meeting. It was announced that the organisers intended to raise a very large sum, which was to be spent on the reception to be accorded to the Prince-the main items of which were to consist of various social functions and public ceremonials in conformity with the then established usage of oriental receptions in honour of Royalty, or of the highest members of the official hierarchy. As such it was given out that the chief items in the programme were to consist of garden parties, at-homes, and evening receptions; also displays of fireworks, and several other similar functions, in which prominence was given to the eternal *nautch* parties by professional dancing girls.

Surendra Nath Banerjee, the popular leader of Bengal, could not bring himself to approve of these proposals, and he launched a series of attacks on the organisers in the columns of his journal (*The Bengalee*) which was then a weekly, but was converted by him later into a daily, and which even then exercised considerable influence on public opinion in Bengal. Opposing the scheme of the organisers, Surendra Nath put forward the proposal that the funds raised should be applied to the establishment and maintenance of an aslyum for people suffering from mental diseases-the said institution to be located in the suburbs of Calcutta. And so it came about that the two factions came to be known, in popular parlance, as the *nautch-wallas* and the *lunatic-wallas*! The former included the vested influence, British and Indian combined-the biggest landlords, and titleholders of the various Oders of the Star of India, of the Indian Empire, and others, the big merchants in Calcutta, and, last but not least, the rank and file of officialdom; while the latter comprised almost all the

educated and intellectual sections of the Indian community, led by Surendra Nath Banerjee, who being the principal of the Ripon College, the most thriving and successful educational institution at that time-had issued a fiat to come round to his standard - not only to the students of the Ripon College, but of all the other colleges in Calcutta. With the students thrown into the scale, it became a fight of youth against age, and naturally produced tremendous excitement, which grew more and more intense as the date of the meeting came closer and closer.

At last the long-looked-for day arrived; the students had received their marching orders to capture and occupy all the available seats in the Town Hall a couple of hours before the meeting was to be held at 5 o'clock in the afternoon. I was an active participant. Knowing that it would be a long day's business, I stuffed myself before going to the City College, to join my comrades in arms. Various processions of students started from different colleges in the direction of the Town Hall, and were punctually at the gate by 3 o'clock. The custodians of the building, and the agents of the organisers, got alarmed, as the police (who had mustered strong on the occasion had no instructions to keep out the students, since it was to be a public meeting. Fortunately for us, it was the pre-telephone period, and so they could not obtain instructions quickly, with the result that no obstruction was offered to us, and we all marched into the hall, occupied by far the greater part of it, leaving but a small area round about the platform for our opponents. They began to arrive at about 4 p.m.,-to find, to their despair, the greater portion of the hall in the possession of the youthful enemies of the *nautchwallas*. They were nonplussed, and did not know what to do or say. They sat down in the smaller area which remained unoccupied, and a number of the most prominent ones occupied seats on the platform, but their faces betrayed considerable chagrin and disappointment. The mighty British merchants world-and one of whom became later a much bigger figure as Lord Inchcape-looked awfully scandalised, and seemed to regard us as so many devils incarnate. But even they could not come to a decision as to what to do with the thousands of students occupying the hall. Punctually at 5 there was a move from the platform towards the main gate to receive His Honour the Lieutenant-Governor-a tall, venerable, and benevolent-looking Scotsman-who was deferentially escorted to the presidential chair. We all showed him courtesy by rising from our seats. It was formally proposed and seconded that His Honour should preside on the occasion, and (as we had no instructions to oppose that proposition) it was said to have been carried by acclamation.

The gathering assembled on the platform was undoubtedly a notable one, comprising as it did all the leading figures in the social, political, and economic world of not only Calcutta, but of the three provinces of Bengal, Bihar, and Orissa-both British and Indian. Amongst notable Indians on the platform were Maharaja Sir Jotindra Mohan Tagore, Knight of the Exalted Order of the Star of

India, Maharaja Sir Narendra Krishna Dev, Knight of the Most Eminent Order of the Indian Empire, and several Knights of other varieties, including (the lowest ones) Knights Bachelor, as also Nawab Abdul Latif, Companion of the Order of the Indian Empire, who was regarded as the leader of a large section of Muslims in Calcutta. All the leading Bihar zamindars were there, headed by the then Maharaja of Darbhanga. The intelligentsia and the intellectuals were also equally well represented by numerous educationists, pressmen, publicists, journalists, public-men, and leaders of the Calcutta Bar. I do not remember to have seen in the audience even a single representative of the Marwari community, which has since played a very important part in the public activities of the city. The inaugural speech of the Lieutenant-Governor was on routine lines, and provoked no comment from any quarter. He called upon Maharaja Sir Narendar Krishna to move the principal resolution, which was to the effect that with a view to accord a fitting reception to His Royal Highness, a committee be constituted to organize the various functions. Accordingly the Maharaja came forward to the front of the platform and began to move the resolution in the terms stated above. We allowed him to read out the opening lines of the text of the resolution, but as soon as he came to the words "to organise", all the students assembled in the hall yelled out at the highest pitch of their voice "a lunatic asylum". The poor Maharaja, who had been brought up in the old-world traditions of the East, was nonplussed, and very nearly collapsed under our vociferous shouts; but he pulled himself together and tried to read out the resolution again. By that time, however, our youthful exuberance was at its height, and our patience was exhausted; so instead of allowing him to come to the words "to organise" before shouting our slogan of "a lunatic asylum", we began to shout it simultaneously with the Maharaja's reading of the text of the resolution-which evoked tremendous discordance, throughout the three bays of the Town Hall.

The result naturally was-what Indian newspapers are even now very fond of writing in their editorial comments-"the place was turned into a pandemonium". The *nautchwallas* were aghast at what they regarded as our gross impertinence and studied misbehaviour but they did not know what to do, or to say. The situation created was so new to them that they were flabbergasted. A hurried consultation was seen to be going on between he Lieutenant-Governor and the leaders on the platform. Suddenly as the result of the discussion, the Leiutenant-Governor called hurriedly Surendra Nath Banerjee to his side, and spoke to him with an appealing look. Surendra Nath then came forward, and asked us not to interfere with the proceedings of the meeting, but to cast our vote, at the right time, in favours of the amendment he was going to move, when it was put to the vote. As the result of this appeal, we desisted from disturbing the meeting further by shouting our "lunatic asylum" slogan; and the Maharaja, his seconder, and his supporters, were allowed by us to proceed with their

speeches. Then came the turn of Surendra Nath to move his amendment. His (we all thought) was the speech of the day, as he brought down the very walls of the famous, old, Town Hall. We applauded vociferously and cheered him to the echo. We clapped and yelled the loudest. At last, when the amendment was put to the vote, we the students supported it with enthusiastic acclamations, accompanied by such tremendous noise and intense discordance as carried all before it. By this time the people on the platform were obviously disgusted with our turbulent behaviour and objectionable tactics. They appealed to the President to adjourn the meeting, which he did at once, coupling it with the announcement that on a later date another meeting of the supporters of the original proposition would be held, to which there would be admission by cards only. We once again yelled out, at the highest pitch, our protests against the sun-dried bureaucrats and their unpatriotic Indian henchmen, and the meeting thus ended in a fiasco, and came to an end in the midst of turmoil and confusion-each party claiming to have been the winner.

The proceedings of that afternoon became for days and days, the bone of contention between the Anglo Indian Press-represented at the time by several dailies-and the Indian Press represented by only one daily, in English, the Indian Mirror. Recriminations between the two sections lasted for several days, and were still going on when I embarked for London on board the steamer on the 26th December, 1889. This was my first experience of a contentious public meeting, though I have seen since several others, far worse; particularly the session of the Indian National Congress at Surat, in 1907, in which a shoe was flung by an excited Congressman, of advanced views against Sir Pheroz Shah Mehta, the leader of the Moderate Section of Congressmen, at that time. But there can be no doubt that in the India of 1889, such an incident as occurred in the Calcutta Town hall was the first of its kind, and revealed a new spirit of youthful exuberance. We did what we did not so much because we were put up to it, but as the result of a conviction that the representatives of vested interests were going to waste large funds raised from the public on frivolities while we were the up-holders of a great public cause for the relief of suffering humanity. Things have since changed for the worse, judged from the standard of Indian decorum; and many of our meetings are now far more lively and boisterous, and not unoften transgress the bounds of civic propriety. But it is not yet well-known in India that in western countries many meetings-specially those held for political purposes, at the time of general elections-not unoften end in a free fight. Nor are University functions in the West usually so quiet as are generally the convocations of the Indian universities. Anyway, when depressed by sorrow, or the worries of the world, I have often recalled this lively incident of my college career in Calcutta and felt cheered up by visualising what

I have tried to portray in this sketch. It has always reminded me of Longfellow's pathetic stanza[58]:

They've perished, the blithe days of childhood have perished,
And all the gladness and all the peace I knew:
Now I have but their memory fondly cherished;
God, My I never, never, lose that too.

[58] This is the last stanza of H.W. Longfellow's poem "Childhood".

9. Social Conditions In Bihar During The Eighties And Nineties

Before recording my experiences in Calcutta, I would recall my impressions, at this stage, of the relations between Hindus and Muslims, and also between the British and Indians, in Bihar-and for the matter of that in the whole of India-during the eighties and nineties of the last century. The relations between the Hindus and Muslims were not only good but cordial. One never heard in those days of Hindu-Muslim riots, with which we have unfortunately become but too familiar during the present century. Nor were then any political rivalries amongst the different sections, classes, or communities of the people. British rule had come to be regarded, at that time, as absolutely immutable, as if ordained by Providence like one of the laws of Nature, and any such idea in the mind of even advanced educated classes as that of Indian independence, or Dominion Status with right of secession from the British Empire, was wholly beyond their mental horizon, and even-unworthy of credit. By far the largest section of the press in those days had not even learnt to discuss any serious reforms in the administration of the country and filled their columns mainly with local grievances of the people. In fact, any political ferment worth the name had not appeared on the surface of Indian political horizon-until sometime after the first session of the Indian National Congress had been held, in Bombay, in the Christmas week of 1885, under the presidentship of Mr. W.C. Bonnerjee, the centenary of whose birth was duly celebrated, in Calcutta, in 1944. Ideas about social reform and progress-which are, comparatively speaking, backward in the country, even now-were not at all seriously entertained at that time, except by a few individuals, here and there. But though the country was very backward in social progress and political advancement, it was a redeeming feature of life, as then lived, that there was peace, amity, and good-will all round-between the Government and the people, on the one hand, and amongst the various sections, classes, and communities of the people, on the other-though, perhaps, it was the peace of the grave.

The only educated section of the people, in Bihar, then consisted of but two small communities-the higher strata amongst the Muslims, and the Kayesthas among the Hindus. It is these two communities which offered the largest number of recruits both for Government services, and the legal profession. But as the Biharees of that age did not know English, in sufficiently large numbers, the vast bulk of the public services were recruited from amongst natives of Bengal, who were then far ahead of the Biharees in knowledge of English. Not only the highest Judicial and Executive offices, but many of the ministerial posts also, were filled by Bengalees. The Biharees of those days had no higher aspirations in any sphere of public activity, and were content to play the second, or rather

the third, fiddle in their own province. They were content to take the then joint administration of the two provinces (of advanced Bengal and backward Bihar) as an act of God, which they could no more think of attempting to change than of stopping the course of the planetary bodies. In the administration of the district, the District Officer (invariably a British member of the Indian Civil Service) was practically supreme in all matters; and with him was associated the District Superintendent of Police, who also was generally a British officer. The District and Sessions Judge was also a British member of the Indian Civil Service, and so were the Joint Magistrates, and the Assistant Magistrates. The members of the Provincial Civil Services, Judicial and Executive, were content to serve under the Indian Civil Service officers. They could not look up to hold even officiating charge as the District Officer, or the District Judge, at any time during the course of their service, even when they were on the verge of retirement, and even though some of them were men of high administrative capacity, or long judicial experience.

But while the conditions of life, judged from the standpoint of today were highly depressing, with no bright ray of hope to cheer up even the educated classes, (to say nothing of the masses), there was the great redeeming feature that every one living in the Province-and for the matter of that in the country-was at peace with his environment. The social relations between Hindus and Muslims were cordial not only in the villages, but even in towns and cities. In spite of very great change for the worse that had come about, in the course of the present century, in this particular respect, and the great deterioration that had now come to exist in Hindu-Muslim relations, it is an unquestionable fact that in normal times the relations between the vast bulk of the members of the two communities in rural, and also to a less extent in urban areas, even today, are friendly, and this is a matter which cannot be missed by an open-minded visitor who goes about the country with an unprejudiced mind, even now. For instance, Mons. Alay, the leader of the Turkish Press Delegation (which visited India in the cold weather of 1942-43) when asked, on the eve of his departure for Turkey, his impressions of the country, made the significant declaration to an Indian press representative, that, "as far as they could see, there was no distrust in ordinary life between Muslims and Hindus, as often expressed in political statements of leaders of the respective communities, in the press". This is perfectly true, in spite of the communal organizations that had come into existence in the country, during the present century, many of the activities of which had produced very great acerbity in the once happy relations between the two great communities in the land. There was fortunately no bitterness in the eighties and the nineties of the last century, when not only in the villages but in towns and cities also, Hindus and Muslims lived together as members of one community, and displayed great tolerance for each other's religious sentiments,

rites and ceremonies, with the result that they lived together on most peaceful terms, sharing with each other their joys and sorrows.

Recalling the social condition in Bihar in the eighties and nineties of the last century as existing between Hindus and Muslims at that time, I should say something about the relations between the British and the Indians also. These were neither good nor bad, for the simple reason that there were absolutely no social relations, worth the name, between the two peoples. The British were then regarded (both by themselves and by the Indians) as belonging to a much higher order of humanity than even the best amongst the Indians. They had their own "home" institutions-including a church, and a club-to which they resorted for religious or social purposes. Thus there was no contact between the two peoples, though they were both in the eye of the law her Majesty's subjects. Macaulay, in his famous speech in the House of Commons, in the course of the debate on the Bill which was subsequently enacted as the Act of 1833, referred to the people of this country as "our subjects". Such language continued to be employed by British writers and speakers till 1858, when India passed from the control of the East Indian Company to that of the Crown. Queen Victoria's memorable Proclamation of that year-which was read out by Lord Canning, the first Viceroy of India, at Allahabad, on the 1st of November, 1858-asserted, for the first time, in distinct terms, the equal status of the Indian subjects of the Crown with Her Majesty's British and other subjects But while that was so constitutionally, yet, for all practical purposes, the Indians continued to be regarded both socially and politically as the subjects of each and every British man and woman. This attitude of mind on their part continued to be reflected in their conduct, speeches and writings, and in their treatment of Indians, in general until very recent times.

But recalling the condition of the times I am now speaking of, I may unresistingly state that any social and friendly relations between the British and the Indians were then quite unknown. The only contact between them was administrative and official, and decidedly no other. Even a quarter of a century had not then elapsed since the out-break of the Indian Mutiny, in 1857, and its suppression by Government with a severity which can be best gauged by a perusal of that well-known book by Mr. Edward Thompson called *The Other Side of the Medal*[59], or of Sir John Tenniel's famous cartoon in *Punch* (of 1858) on the subject, depicting the "British Lion" roused to full ferocity against the "Bengal Tiger". It is a weakness of human nature to persuade itself to believe (and the British are not free from it), after reach suppression of disturbance by the exercise of unnecessary force, that it had succeeded in crushing out any attempt on the part of a subject people to raise their head again. Precisely the same mentality was displayed by the British after they had suppressed, with

[59] Edward Thompson, The Other Side of the Medal, London: Leonard and Virginia Woolf (The Hogarth Press), 1930 (1925, first edition).

undue violence, the serious disturbances that broke out in certain parts of India in August, 1942, consequent on the sudden arrest of the Congress leaders and workers and until human nature undergoes a material change - of which there is little prospect at present-the same situation will, I fear, continue to arise, from time to time, in the relations of the ruling and the subject peoples. In the circumstances it need cause no surprise to anyone to be told that the British and the Indians lived in this country until the introduction of the Morley-Minto Reforms in 1909-as separately as if they inhabited two different globes. Occasionally, for instance, the celebration of a marriage, the British officials would be invited to a banquet at a rich Indian's house, and the catering would be placed with some celebrated firm in Calcutta. Not one Indian, however, would either be invited by the host, or would be allowed by the guests to be invited to such a feast, not only because the conventions of the time did not and would not allow it, but because of the non-existence of any social relations between the two communities.

I would recall, in confirmation of what I have stated above, but one memorable incident, out of many, of which I have personal knowledge, which also appeared in the press at that time, and created great sensation throughout the country. In 1854, Parliament had abolished the old system of nominations to the Indian Civil Service, and had thrown it open to competition. The first Indian to compete successfully, in the sixties of the last century, and enter the Indian Civil Service, by sitting at the examination in London, was Satyendra Nath Tagore, the elder brother of the poet, Rabindra Nath Tagore. I met him first in London, during the early nineties of the last century, when I was a student there, and he was enjoying his furlough. He served throughout his official career as a Judicial Officer in the Bombay Presidency. I used to meet him also, after his retirement from service, at Ranchi, the summer headquarters of the province of Bihar, where he stayed for long intervals. Some years after his entrance into the Indian Civil Service, a few Indians from Bengal, and one from Maharashtra, secured admission into the Indian Civil Service. One of them was the famous Surendra Nath Banerji, whose services were, however dispensed with after short official career, which was a memorable episode in the career of that great nationalist leader. The last of the first batch of entrants was Brijendra Nath De, popularly known (according to the then Anglo-Indian usage) as "B.N.De". He was serving in Bihar, when early in the eighties the then Maharaja of Dumraon retired from public activities owing to advanced age, and his son-Sir Radha Prasad Singh-was installed in his father's place, as the proprietor of the eatate, by the then Lieutenant-Governor, Sir Ashly Eden. Sir Ashley belonged to the same family as Lord Auckland, the Governor-General of India from 1836 to 1842 and so does Mr. Anthony Eden, Foreign Secretary, during the second Great War. To celebrate the installation suitably, a very large sum was spent on a magnificent banquet, to which not only the Lieutenant-Governor and his *entourage*, and

the Shahabad district officials, but almost the whole of the British community in the province of Bihar, were invited. My father as a chief legal adviser of the Dumraon estate was there; and he had also taken me with him. I was then about ten years old.

The arrangements for the banquet were complete, and the Lieutenant-Governor had arrived at Dumraon amidst a great show of magnificence, pomp and splendour. But there was a rift in the lute. It was that B.N.De, the young Indian civilian, who was the Sub Divisional Magistrate at Sasaram, and in whose jurisdiction by far the larger portion of the Dumraon estate was situated, had not received an invitation to the banquet. This discovery naturally caused great sensation, as the fact found its way into the *Indian Mirror* in Calcutta, and the other papers which used to be published at that time, at various important centres in North India, both in English and in Indian languages. De was present at Dumraon as a guest of the Maharaja, but the arrangement, for the banquet was mainly in charge of the District Magistrate, a British Civilian, who was believed to be responsible for the studious omission of the name of De as one of the invitees to the banquet. But in offering this studied insult to De, the official concerned in the matter had reckoned without his host, since the Indian Civilian was not a man to take it lying low. Accordingly, he sought an interview with the Lieutenant-Governor which, of course, was granted. In the course of conversation with His Honour, De represented to him that perhaps the only ground on which he had been sought to be slighted by his exclusion from the banquet was the fact that both in the European classics, and in English composition, he had been able to obtain at the open competition for the Civil Service, in London, ever so much higher marks than any of his British confreres who had appeared with him at that examination. De's contention was unanswerable. Sir Ashley Eden felt convinced that the exclusion of De from the banquet (which was to be given at the cost of the Maharaja of Dumraon, and not that of the District Magistrate who had been requested by the host to get up the function) was absolutely indefensible. Accordingly he spoke to the Commissioner of the Patna Division, and sent word through him to the district authorities that unless De was allowed to occupy his proper place at the banquet, he (the Lieutenant-Governor) would not be able to accept the position of the chief guest on the occasion. This was something for which the British officialdom assembled at Dumraon, were by no means prepared; but the Lieutenant-Governor having taken up the stern attitude he did, they had to give in and eat the humble pie. Sir Ashley Eden's attitude was justly appreciated by the public at large, which found expression in the Indian press. De's triumph was regarded as the first breach made by an Indian in the ramparts of the social citadel sought to be set up by the British official hierarchy, in India, to exclude even a pre-eminently deserving Indian, like De from a social function like the

one at Dumraon, where the host himself was an Indian, and the officials merely organisers on his behalf.

The question of social relations between the British and the Indians used to be, until the end of the first decade of this century, a subject of acrimonious discussion in the press of the country, sometimes with far from desirable results. In 1901, the then Maharaja Gaekwad of Baroda (Sir Sayaji Rao) contributed to that famous London periodical-*The Nineteenth Century and After*-a notable article called "My Ways and Days in Europe and India", in which he referred tactfully but pointedly to the then undesirable state of social relations between the Indians and the Britons in this country. The Gaikwad's article produced a great furore in Indo-British circles, because of the writer's very high position, and his caustic comments. The Pioneer of Allahabad (then most influential Anglo-Indian daily in the country wrote, in reply to the Gaekwad, a vigorously worded editorial which was not unjustly regarded by educated Indians as highly provocative. I defended the Gaekwad in an article in the *Hindustan Review* (which I had founded in the previous year, 1900) and I quote below a portion of it to illustrate the position as it existed at the beginning of the twentieth century:-

"The Pioneer Starts by saying that it is 'quite ready to admit in all courtesy that there are faults on both sides'. 'But the simple truth of the matter', asserts the *Pioneer*, 'is that the caste whims and prejudices of our Indian fellow-subjects stand in the way of friendships to an extent that renders all other difficulties utterly insignificant by comparison'. And it winds up by saying that 'no *rapprochement* is possible until we all get over the idea that there is an ignominy involved in sharing a meal together'. At first sight there seems to be some force in this contention, which, however, completely disappears on closer scrutiny. We have got now in every large city a number of educated Hindus-England-returned, and even non-England-returned-who have completely given up all caste restrictions in eating with non-Hindus, and yet we do not find their position any better in the way of closer social intercourse between them and the Indo-Britons than between the latter and the rest of the Indian community. If the Indo-Britons really cared to cultivate friendly feelings with their Indian fellow-subjects, one cannot understand why they should not fraternise with the ever-growing phalanx of educated Hindus of this class. And then there are our Muslim fellow-subjects, the educated classes amongst whom have got no scruples in the way of inter-dining with their Anglo-Indian fellow-subjects, prevails cordiality between them and the Indo-Britons.

We are quite sure that nowhere in India would a Hindu or Muslim, whatever his position or respectability-even though he lives in European style-be elected as a member of a European club, unless perhaps he happens to be a member of the Indian Civil Service. And we would recall to the *Pioneer*'s mind the incident that when Mr. Syed Mahmood - afterwards a most distinguished Judge

of the Allahabad High Court, and a son of the founder of that great educational institution, at Aligarh, Sir Syed Ahmad Khan - was taken to the Madras Club by the then Chief Justice, Sir Charles Turner, they had both to leave the club immediately as one of the members came up to Sir Charles and told him, to the face of Mr. Syed Mahmood, that '*no native* was allowed in the club'. This incident was related by Mr. Mahmood himself to Lieut.-Col. Graham, and is recorded by him in his well-known book-*The Life and Work of Sir Syed Ahmad Khan*.[60] The incident referred to therein is only a straw to show which way the wind blows, and we know hundreds of such instances that are occurring all over the country, from time to time, as the result of the habit of the average Briton in Indian to regard himself as the lord of the creation, superior in every respect to the 'native' of even the highest position-which not only keeps up but widens the ever-yawning chasm of isolation between the two peoples in this country. It is this spirit of keeping aloof from the Indian as an inferior race - instances of which crop up, almost from day to day, all over the country, on railways, steamers, in parks, theatres, at meetings-and other public places and occasions, where the two races come together, and not in the much-abused caste-system which is responsible for this state of affairs.

But caste is not the only obstacle that is said to hinder the growth of social communion and intercourse between the two races in the country. The Pioneer regards, what it is pleased to call, 'the degradation of and ensuing seclusion of women in India' as another stumbling block in the way. 'The two great obstacles' generalises our contemporary, 'in the way of a really happy amalgamation between the two races are thus summed up in a nutshell. They have nothing whatever to do with European characteristics. They are nothing other, or different from what we have said. Caste whims about food, and the ignominious treatment of the Indian women are the two causes of all the trouble". Special pleading to white-wash the Indo-Briton, and blacken still deeper the Indian character, could hardly go farther. We have already examined the alleged obstacle of caste as a means of hindrance to the 'happy amalgamation'. Let us now see what justification there is for the *Pioneer*'s offensive remarks about the so-called ignominious treatment of the Indian women. We shall be the first to admit that the condition of Indian women is yet susceptible of very great improvement, but it is nothing short of rank libel to say that their treatment is so ignominious as to be any real obstacle in the way of social intercourse between the Indo-Britons and their Indian fellow-subjects. 'In India', says the *Pioneer*, 'we are in the presence of conditions that are in all respects deplorably behind the results that have been achieved elsewhere. The customs that govern the establishment of women in life are still miserably destitute of thoughtful provision for their happiness'. We doubt if a grater calumny was ever perpetrat-

[60] G.F.I. Graham, The Life and Work of Sir Syed Ahmed Khan, London: Oxford University Press, 1974 (1885, first edition).

ed even by the *Pioneer*. In strong contrast to the calumnies of this are the testimonies of some of the greatest Anglo-Indian administrators, whose words will carry much greater weight than those of the Pioneer, with unprejudiced readers.

'Taking its own ground that the treatment of women in any country is the test that determines the place of that country in the path of evolution', let us see what treatment is meted out to the women in this country, as represented in the following passage from the greatest Anglo-Indian classic-Sir John, Strachey's *India*. 'Women in India', says Sir John, 'take a larger and more active share in the practical business of life than is usually supposed; in the management of family and house-hold affairs they probably exercise almost as great an authority and influence as women in Europe. They often manage estates and large commercial concerns, and show extreme acuteness and intelligence'[61]. Surely all this could not be the result of 'ignominious' treatment. But let us turn to yet another distinguished Anglo-Indian authority, Sir Lepel Griffin. In an introduction contributed by him to Mr. Pool's book, *Women's Influence in the East*, this is what Sir Lepel write:- "Indian women do not desire to go beyond the privacy of the *Zenana*, and would consider publicity as a disgrace. It is foolish to judge the customs of other people by our own, or to suppose that the society of London or Paris holds up an ideal which other races must attain to, or be considered uncivilised. The women of the East are not so much in evidence as those of Europe, but their influence within the legitimate circle of their domestic relation is quite as great, their manner as good and their morality as high. They do not try to do everything which men do, and conspicuously fail; they do not enjoy the delight of seeing their dresses, and their looks recorded in the impertinent columns of society newspapers; they do not rush to the Divorce Court to listen to the unsavoury details of the latest fashionably scandal; and those who know most of the results of this freedom of women in the West my well doubt whether the occidental or the oriental method of treating women is more in accord with practical wisdom"[62]. These two testimonies are conclusive.

And yet the *Pioneer* has had the hardihood to suggest that the customs which govern our relations with our women are still 'miserably destitute of thoughtful provision for their happiness and that their treatment is 'ignominious'. We commend to the *Pioneer* the convincing observations of Sir John Strachey, and the words of practical wisdom inculcated by Sir Lepel Griffin as to whether the treatment of women in India is not in certain respects even better than their much-vaunted treatment in Europe. We hope next time that our contemporary reverts to this topic of social intercourse between the two races, it would bring

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61 Sir John Strachey, India: Its Administration and Progress, London: Macmillan, 1903 (third edition, revised and enlarged), p. 250.

62 Sir Lepel Griffin, Introduction, In: John J. Pool, Woman's Influence in the East, London: Elliot Stock, 1892, pp. x-xi.

to the study of its subject a better knowledge of Indian and European customs and institutions in regard to the treatment of women, and a more impartial frame of mind, and that it will not raise Frankensteins of its own creation, but rather touch upon the real rift in the lute, the cancer that eats into all efforts at intended *rapprochement* between the two peoples which to borrow the happy phrase of the *Pioneer*'s is "nothing other or different from" the average Indo-Briton's spirit of hauteur and aloofness, and his deep-rooted habit or regarding himself as superior in the all respects, to Indians, his utter incapacity to see good in any custom and institutions other than his own, and above all his supreme contempt for the people of India of all classes and creeds. It deceives no one to ignore these 'European characteristics' which are the real obstacles to a 'happy amalgamation', and to fasten the blame on the shoulders of the much-abused caste and the much-maligned treatment of Indian women."

The long extracts made above from what I wrote in the *Hindustan Review* in 1901-now about half a century back-bring into prominent relief the social relations between the Indo-Britons and the Indian; at the dawn of the twentieth century. Things continued to be, more or less, the same until the close of the first decade. But in Calcutta an effort was made to bring about better social relations between the Britons and the Indians by the establishment of the Calcutta Club in 1907, which is now housed in a palatial building overlooking the Maidan, and is a flourishing institution, and of which I have been a member since 1909. Bombay, Madras, Delhi, and some other large cities, had followed since it the wake of Calcutta, in establishing similar clubs, which had materially conduced to improved social relations between the British and Indian communities in the country. But perhaps in a larger degree than even such social institutions had been the effect of the constitutional reforms introduced, from time to time, beginning with that known as Morley-Minto Scheme of 1909. The first elections under it were held towards the end of that year, and the first sitting of the new Imperial Legislative Council was held, early in January, 1910, at the Government House, in Calcutta, under the presidentship of Lord Minto, the then Governor-General and Viceroy. The new legislators were drawn from almost all classes, and comprised in their ranks some of the representatives of the most advanced sections of the Indian community. The British officialdom, at the time, were in a highly responsive frame of mind. The result was that, apart from political activities, a great impetus was imparted to improved social relations, between the two peoples, throughout the country. The Calcutta Club became the nucleus of much social intercourse and more than once even the Bengal Club-for over a century the citadel of British Bureaucracy, in Calcutta-allowed some of its members to invite Indian friends to dinner in the Club coffee room. I was a guest on one such occasion to a dinner given to his Indian friends by Sir Edward Baker, the then Lieutenant-Governor of Bengal. Since then there had existed improved social relations in the larger cities, in

particular, and even at many smaller places. But speaking broadly, there still exists a wide social gulf between the Indians and the British, which has got to be bridged over.

10. My Stay In Calcutta In 1889

Before I went to Calcutta in October, 1889, I had seen only three places-namely Arrah, Patna and Allahabad. Arrah, my birth-place was a neat little town with a population, at that time, of not more that forty thousand. But apart from the monument connected with the Indian mutiny, which I have mentioned in the first chapter of this book, there is nothing there in the way of attractive scenes and sights. Patna was then perhaps the most unattractive place, one could think of. It was one mass of fifth, dating from the times of the great Mauryan Emperors-Chandragupta and Asoka. The new civil station built since 1912, as the result of the city having been raised to the status of the capital of the province of Bihar in that year, is well-planned and finely laid out. But the old city remains still very much in the same condition in which I found it when I first came from Arrah in 1887, and it is likely to so remain unless a merciful Providence ordains that it be burnt down to the ground. Allahabad, which I visited to December 1888, on the occasion of the fourth sitting of the Indian National Congress, had impressed me most favourably, as its splendid civil station - laid out under orders of Lord Canning, the first Viceroy of India, and rightly bearing his name-is unique in the country. On the transfer, in 1858, of the capital of the North Western Provinces from Agra to Allahabad, the new civil station of Canning Town (or as now known in common parlance as Cannington) was well laid out on American plan, the roads from north to south, and from east to west running across at right angles. Amongst the many who had been favourable impressed with the civil station of Allahabad was the famous American humorist, novelist, and traveller, Samuel Clemens better known as "Mark Twain". He visited Allahabad in the course of his round the world tour, in the nineties of the last century, and wrote, in his interesting book called "More Tramps Abroad" about that famous city as follows; "The English part of the city is a town of side avenues and noble distance, and is comely and alluring, and full of suggestions of comfort and leisure, and of the serenity which a good conscience buttressed by a sufficient bank account gives. The bunglows (dwellings) stand well back in the seclusion and privacy of large enclosed compounds (private grounds, as we should say), and in the shade and shelter of trees. Even the photographer and the prosperous merchant ply their industries in the elegant reserve of big compounds, and the citizens drive in there upon their business occasions"[63]. This is true even now of the civil station of Allahabad, which is undoubtedly the best laid out on the plains of Northern India. It has been my second home since 1896.

[63] Mark Twain, More Tramps Abroad, London: Chatto & Windus, 1907, p. 323.

Calcutta, however, stood on an entirely different footings. It had been, since the time of Clive and Warren Hastings, the capital of the great British Indian Empire, which position it retained till 1912, when the seat of the Government of India was removed to Delhi, under the Declaration personally made by King-Emperor George V, at the Darbar held in that city, in December, 1911. Its name was thus surrounded with a halo, and I looked forward with great interest and pleasure to my first visit to Calcutta. My first impressions of the then metropolis of India were distinctly pleasing and agreeable. Though the climate of Calcutta during the greater part of the year, from March to October, is usually trying to those who are not natives of Bengal, it had begun to cool down a bit by the last week of October, when I arrived there. The European quarters of the city, though very much changed for the better, and immeasurably improved during the years that had followed since 1889, were even then impressive to a youth like myself, who had seen no other cities in India except Arrah, Patna and Allahabad. As the City College, in which I had decided to take my admission, was closed for the autumn holidays, I had ample time at my disposal to tramp about on foot, and on trams, the more accessible parts of that great city, almost the whole day. The first fortnight I devoted to seeing the more attractive aspects of Calcutta life-its palatial buildings, and finely-equipped shops, along the Chauringhee, the most famous thoroughfare in Calcutta. I also visited some of the famous public institutions of the city-like the Indian Museum, the Zoological Gardens at Alipur, the Botanical Gardens at Shibpur and others. Calcutta was even then known, in lay parlance, as "a city of palaces"; and such I found it to be during my first visits to the European portions, situated on the southern side of the city.

But this favourable impression of Calcutta did not last long, and I changed my opinion when my college re-opened, and I had to do a long distance daily, either on foot or on tram, to the northern parts of the city. I then found, with a sense of deep disappointment, that Calcutta was not only "city of palaces" but also largely of mean huts. Just a year before my arrival in Calcutta, Rudyard Kipling had published, in 1888, a book called "The City of Dreadful Night". It was a most scathing attack on, and a vehement tirade against Calcutta and its municipal administration, at that time. I shall quote but one passage from it to show Kipling's attitude towards the then capital of the Indo-British Empire. Wrote Rudyard Kipling:- "All India knows of the Calcutta Municipality, but has anyone thoroughly investigated the Big Calcutta Stink? There is only one. It is certainly not an Indian smell. It resembles the essence of corruption that has rotted for the second time.-If you live long enough in Calcutta you grow used to it. The regular residents admit the disgrace, but their answer is: 'Wait till the wind blows off the Salt Lakes, where all the sewage goes, and then you'll smell something'. That is their defence! Small wonder that they consider Calcutta is a fit place for a permanent Viceroy. 'Englishmen, who can calmly extenuate one

shame by another, are capable of asking for anything-and expecting to get it"[64]. This is Kipling at his best or worst, as you please.

But in the above passage, which is a fair example of the contents of Kipling's book one gets an idea-though perhaps highly exaggerated one-of what Calcutta was, in so far as the Indian portions of the city, constituting by far the greater part of it, were concerned, during 'the eighties' of the last century. A study of historical literature relating to Calcutta shows that, about thirty to forty years before Kipling wrote, of it, that city was regarded by many as a place unfit for the habitation of civilised humanity, Sir John Strachey, one of the greatest names in Anglo-Indian administration, who lived in that city as a high Government official during the Viceroyalty of Sir John Lawrence, had recorded his impressions of Calcutta at that time, and the following passage extracted from his famous book-called "India; its Administration and Progress"-will be read with great interest by the residents in Calcutta today. Here is what Sir John Strachey had written about the Calcutta of the sixties of the last century:- "When Lord Lawrence became Viceroy, in 1864, the filth of the city used to rot away in the midst of the population in pestilential ditches, or was thrown into the Hugli, there to float backwards or forward with every change of tide. To nine-tenths of the inhabitants clean water was unknown. They drank either the filthy water of the river, polluted with every conceivable of abomination, or he still filthier contents of the shallow tanks. The river, which was the main source of supply to thousands of people, was not only the receptacle for ordinary filth, it was the great graveyard of the city. I forgot how many thousand corpses were thrown into it every year. I forget how many hundred corpses were thrown into it from Government hospitals and jails, for these practice were not confined to the poor and ignorant: they were followed or allowed, as a matter of course, by the officers of the Government, and of the municipality. I remember the sights which were seen in Calcutta in those days, in the hospitals, and jails, and markets, and slaughter-houses, and public streets. The place was declared, in officials reports, written by myself (in language which was not, and could not be, stronger than the truth required) to be hardly fit for civilised men to live in".[65] Writing, however, in 1903, when he last revised his book, Sir John wrote as follows: "There are now few cities in Europe with which many parts of Calcutta need fear comparison, and although in the poorer quarters there is still much room for improvement, there is hardly a city in the world which has made greater progress"[66]. The Calcutta Improvement Trust had transformed Calcutta almost beyond recognition, since 1903.

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64 Rudyard Kipling, City of Dreadful Night, In: From Sea to Sea, American Notes, City of Dreadful Night, New York: Doubleday Page and Co., 1923, pp. 187-188.

65 Sir John Strachey, India: Its Administration and Progress, London: Macmillan, 1903 (third edition, revised and enlarged), pp. 10-11.

66 *Ibid* at p. 11.

On the reopening of the City College, situated in the northern part of Calcutta beyond the Senate House of the University, I took my admission in the second year class. The number of students in that class was larger than that in the same class of the Patna College. It was more than two hundred. The class room was not sufficiently large for the accommodation of so many, and we had all to sit huddled together. The Principal and the professors of the institutions were not only almost all of them distinguished scholars, but were also men of high character and noble ideals, as many of them were members of Sadharan Brahmo Samaj. It had been scarcely six years since the death of the great Brahmo Samaj leader, Keshab Chandra Sen, who had founded the New Dispensation section of the Samaj, and the Sadharan Samaj which claimed to represent the original Brahmoism of Rammohan Ray and of Devendra Nath Tagore (the latter the father of the poet, Rabindra Nath) was an influential body at that time. Amongst the leading Brahmos, who were at the head of the administration of the City College, was Ananda Mohan Bose, the first Indian to achieve the high distinction of being a Wrangler at the Cambridge University and one of the earlier batch of Indian members of the English Bar. Being a big landlord in Eastern Bengal he had never betaken himself seriously to the legal profession, but he occupied a high position in the public life of Bengal, and his being at the helm of affairs of the City College gave it a distinctly high position amongst the educational institutions in Calcutta. The most distinguished amongst professors of the college, at that time, was Herendra Chandra Mitra, who was distinguished alike as a scholar and a social reformer. His lectures on English literature used to be highly instructive, and withal attractive.

Ever since my return to India after my call to the Bar and more particularly since 1910, when I acquired a prominent position in the public life of the country, as the result of my election to the Imperial Legislative Council, Professor Mitra had taken great interest in my career, and was fond of saying that he was proud of claiming me as one of his pupils. It was very kind of him to have done so, for the fact was that during the two months that I was a student of the City College, I was so much engrossed in my own plans for shaking the dust of India from off my feet that I doubt whether I attended more than a dozen of his lectures. The only other Professor or, rather Lecturer, whose name I shall recall, was Satyendra Prasanna Sinha, afterwards the first Indian, who sat as a peer in the House of Lords, as Baron Sinha of Raipur, and the first Indian to be elevated to the position of a Governor of a province in British India. Mr. Sinha was, at the time, a struggling junior at the Bar, of three to four years' standing, and had not yet handled his first brief. He depended on his creature comforts on the small pittance which he used to receive as his emoluments for delivering lectures on certain branches of law in the City College, but although I saw him delivering lectures I did not come to know him personally till after my return from England after my call to the Bar, in 1893.

Though I attended but a small number of lectures in the City College, my career as a student of that institution was full of new experiences. In the Patna College though the number of Bengali students was fairly large-about forty out of hundred and thirty-the Biharees were in a large majority. In the City College at Calcutta, I was strictly speaking the only Biharee student. Sometime later I discovered that there was another student from North Bihar, but his father had embraced Brahmoism, and settled down in Calcutta, with the result that the whole family had adopted the customs and manners of Bengal, in food, dress, and many other things, and had also adopted Bengalee as the speech in which they invariably talked even among themselves. I discovered that he and I were distantly related, and I paid visits to his father, who was a retired Deputy Collector in Bihar. But as the son used to come to the College dressed in Bengalee style, he passed for a native of Bengal, and roused no curiosity on the part of the Bengalee students. That, however, was not the case with me. I used to go to the College in the then costume of Bihar-*chapkan* or *sherwani* (a long coat in Indian style coming down to the knee), trousers, and last but not the least, a Christy's cap. As such I was naturally unique in my costume. This style of clothing had ceased to be affected by the youth of Bengal at that time (1889), all of whom used to attend the class in a shirt and a *dhoti*, with or without a *chadar*.

On the contrary, the Bihar or Upper Indian costume then worn had ceased to be used by Bengalees for forty to fifty years before that time. The pictures of Raja Rammohan Ray, and also of second and third generations of Bengalees after him, go to show that the same costume was worn by the higher stratum of the Bengalees till about the time when India passed under the direct control of the British Crown, in 1858. The statue of Prasanna Coomar Tagore-the founder, at the Calcutta Unversity, of the famous Tagore Law Lectures-placed in the portico of the Senate Hall of the University also shows that even after 1858 the costume-which was an adaptation to Indian conditions and climate of that which used to be worn at the court of the Indo-Moghul Emperors-used to be worn by the Bengalees down to the seventies of the last century. This costume, so far as Bengal was concerned, had since then come to be identified with the higher stratum of the Muslims, and my class-fellows, who were all Benagalee Hindus, regarded me, therefore, as a Musalman. It was only after some weeks, when I had come to know them fairly well, that the Biharee student (of whom I have spoken above) explained to my class-fellows that in spite of seemingly Muslim costume I was a Hindu from Bihar. They told me then that they were very much surprised at my wearing at what they regarded Muslim clothes. I explained to them that the costume I wore was that generally adopted at that time by the people in Upper India, and had nothing to do either with Hinduism or Islam. Friendly relations with the Bengalee Hindu students convinces me, however, that in spite of seeming differences in custom, manners and even

speech, there was such a thing as a fundamental unity of India pervading the country, as a whole.

Having left home against the wish of my parents, and gone to Calcutta with the deliberate intention of succeeding in my plan for going to London. I had advisedly taken my admission in the City College in the northern part of Calcutta (while staying at Bhawanipur in the southern part), so that I might have a pretext for being absent from my quarters for long intervals, practically for the whole day. I used to leave my house after an early breakfast at about ten in the forenoon and would not return home till late in the afternoon. I used to drop in for a few minutes, in the College, during the earliest lecture hours, and then devote the rest of the time to tramming about Calcutta, and visiting various offices and institutions, with the object of obtaining information which might be useful to me in carrying out my plan. In doing so I had two main objects in view, the first was to obtain all the informations I could in connection with my proposed visit to London, and he second was to raise enough money to enable me to book my passage (perferably direct) to London, and falling it to Aden. To be able to obtain the necessary information, I used to frequent the Calcutta Bar Library to make the acquaintance of some members of the English Bar, who I thought would assist me with information, if not with funds. But although I wasted several days on this errand, I failed to achieve my object. I was far more successful with the Calcutta Agent of the world-famous firm of Thomas Cook & Son, which (established in 1841) was then nearly half a century old. He received me very kindly, gave me all the information I wanted, and helped me in every possible way he could. He prepared for me a list of the clothes, and other things, which he thought I would require for my comfort on board the steamer, and also on my arrival in London, in the depth of winter. He further assured me that in case I failed to raise enough funds to book my passage direct to London from Calcutta, he would arrange to do so to Aden, on payment of the balance of the passage money to London, within one week as I would be taken to have travelled on a through ticket from Calcutta to London, without a break; which meant a saving of nearly one hundred rupees.

But with all his kindness to me, Cook's Agent could not naturally help me in securing the necessary funds, for which I was thrown upon my own resources. I had taken care to carry with me to Calcutta everything of value which I possessed at that time-gold rings, gold watch and chain, Kashmire shawls, and a few other things of the like kind, and my object in doing so was to sell them, and raise enough funds for my passage money. One day when I was struggling with my fortune, I was delighted to receive a letter from an old friend of my father's, at Arrah. He was at that time an old man of nearly seventy-five, but had the reputation of having amassed a fortune as a lawyer. He lived close to our house at Arrah, but he also enjoyed, and perhaps not undeservedly, the reputation of being a great miser, whose name no one cared to mention in

the morning for fear of passing an inauspicious day. I was, therefore, greatly surprised to find from his letter that he had offered me three hundred rupees towards the payment of my passage money for going to London! He said that he knew as a next-door neighbour all about my ambition and its threatened suppression; but although he belonged, he added, to the orthodox school, he believed that it would be to the great advantage of the community if I could go to London to prosecute my studies for being called to the Bar. Though he enjoined on me absolute secrecy about the matter, for fear of his getting into trouble with my father, he offered (on hearing from me in reply) to send me rupees three hundred in currency notes. Overjoyed at this sudden turn in my fortune-which I naturally regarded as a dispensation of Providence-I wrote to him a gushing letter which was none the less sincere. I received from him, in due course, a registered cover containing three currency notes each of rupees one hundred. This amount became the nucleus of the fund I raised ultimately. The next thing I did was to go about selling the few valuable articles in my possession, but here I was faced with a serious difficulty. In the first place I did not know their proper value, and in the second place in my over-anxiety to have just enough money for going to even as far as Aden, I was but too anxious to part with them at much less than their fair market value. This naturally raised suspicion in the minds of buyers, each of whom suspected that I was in possession of stolen property, and accordingly insisted that I should accompany him to the nearest police station to have certain entries made in the office register as a guarantee of good faith.

They were quite surpised at the alacrity with which I followed each of the buyers to the nearest police station. By thus selling all my valuables at cheap rates, I could raise a sum of about five-hundred rupees. This amount, however, was by no means sufficient to defray the cost of my passage-money to London, and also leaving a margin for expenses on board the steamer, to say nothing of any wherewithal for my expenses in London for some time. On explaining the whole position to the Agent of Cooks, he suggested to me to take a second class steamer ticket as far as Aden, to be able to keep enough money in hand for contingencies and emergencies, and to write to my father the day before my departure explaining the whole position, and asking him to remit to Cook's office in Calcutta the balance of the money due on the through ticket to London. The steamer by which he booked my passage was the SS Nepal of the Peninsular and Oriental Steam Navigation Company, which was bound for London on the morning of the 26th December 1889. I followed his friendly advice to the letter. On the 25th, the Christmas day; I wrote to my father and also to the two or three friends of my father's, who had helped me either with advice or money. I went on board the steamer in the evening, not trusting to be able to reach the quay the next morning at the very early hour fixed for the departure of the steamer.

Wholly unused as I was to European life, my stay in the steamer on the night of the 25th December, 1889, was a very novel experience. I was allowed to occupy the berth in my cabin in very special circumstances, on the recommendation of Cook's Agent to the Captain of the steamer. There was thus no other passenger on board the steamer that night, and I had also been given warning that no food would be supplied to me until the next morning. Accordingly I went to the steamer after taking an early dinner, my nephews with whom I had been staying in Calcutta, under my father's direction, were very fortunately for me, not there at that time, as they had gone home to spend there the Christmas vacation. They had asked me if I would go back to Arrah for the holidays, but I told them that it being my first Christmas in Calcutta, I preferred to stay there. This was on the face of it a reasonable request, and so they saw nothing in it to object to. The other Biharee lawyers, practising then in the Calcutta High Court, had also left Calcutta for the same reason. I had thus plain sailing before me, both literally and metaphorically. The only members of the Biharee community in Calcutta at the time were those who were going to appear at the University examinations, and almost all of them were sympathetic to my attempt to go to London for study. It was these three or four persons who accompanied me to the steamer on that Christmas night. They also came to see me off next morning. One of them was Krishna Sahay, who many years later, was a member of the Government of Bihar and Orissa as an Executive Councillor, and whom I succeeded as such in 1921. When they were gone after putting me into my cabin, I tried my best to compose myself to sleep, but found it impossible to do so. The officers and the crew of the Nepal had finished their dinner before my arrival, but it being Christmas night, they were all for a carouse, and not only played on instruments and sang till the small hours of the morning, but the British stewards, and the other members of the crew of the same position and standing, kept up-what seemed to me-a din and discordant noise throughout the night. Even, however, if absolute quite had reigned that night, I do not think I could have been able to have enjoyed sound sleep, for I was tremendously excited, and my brain was in a whirl. Though after my sad experience at Patna, I had been extremely cautious in not taking into my confidence any one unless it was absolutely necessary to do so, yet in spite of it I was constantly apprehensive that my secret might again be out, and my second attempt might also be frustrated like the first one. As the result, therefore, of the din and noise on board the steamer that night, and my own excitement, I could have no sleep, and passed a restless night.

I recall even now-after a lapse of more than half a century-my tremendous mental anxiety on the one hand, and the intense excitement on the other. What if my adventurous scheme-like the first one at Patna-again met with the same fate? What if my father-on getting a scent of it once more from someone in Calcutta-turned up the next morning, before the steamer sailed-to take me back

home. But Fates had evidently ordained otherwise; and so I achieved success in my venture. I welcomed the appearance of dawn, and was ready before the break of day walking up and down the topmost deck of the steamer, awaiting the arrival of my friends who had promised to see me off. They came rather late; meanwhile a number of other passengers began to arrive and the spectacle that presented itself to me was interesting and attractive. The boarding of the steamer by the passengers, the trooping in of their numerous friends with garlands, fruits and flowers, to bid good-bye to them, the din and confusion incidental to such an occasion, the officers of the ship taking up their posts of duty (all looking spruce and well-groomed in spite of the previous night's dissipation) the stewards moving about briskly in the dining saloon arranging for breakfast, were all very novel scenes to me, which made a great impression on my young mind about the organising capacity and administrative powers of the British race. At last my friends arrived and they were the last batch of visitors allowed on board the steamer, I bade good-bye to each of them, and gave them instructions to find out from Cook's Agent if my father, or someone else on his behalf, came to pay the balance of my passage money. It was by then eight o' clock and the steamer was to sail at eight fifteen. All the visitors were asked to return ashore; the gangway was removed. The last whistle was given by the funnel of the steamer, and simultaneously it weighed anchor. As the Nepal began to move slowly from the famous Chandpal Ghat, almost all the passengers, including myself, stood on the uppermost deck watching that scene. Slowly and slowly the buildings of Calcutta receded from our view, till in half an hour from the time of sailing, we missed altogether the sight of that city. And thus it was that on the 26th of December, 1889, I was able to carry out my youthful ambition of going to London to qualify myself for the English Bar. The die was cast and the Rubicon was crossed, at last.

11. When I Was Secretary of The Kayastha Pathshala

It is a far cry from 1900 to 1948, when I was appointed Secretary of the Kayastha Pathshala, by the then President, Munshi Govind Prasad Saheb, who was, at that time, a leading member of the Allahabad Bar. I had settled down at Allahabad in November 1896, when I was also enrolled as an advocate of the High Court. Munshi Ram Prasad was then the second President of the Kayastha Pathshala; his predecessor, and the first President of the institution, having been Munshi Hanuman Prasad, one of the acknowledged leaders of the Allahabad Bar, until his death in 1888. Munshi Ram Prasad was not only a leading lawyer in the High Court; he was also the Government Pleader. A few months before I came to Allahabad to live there permanently (as I have done since). Munshi Rama Prasad-along with Sir Sunder Lal, Pandit Motilal Nehru and Mr. Jogendra Nath Choudhari-had been admitted as the first batch of vakils to the status of advocates, which was until then open to barristers only. Munshi Ram Prasad thus occupied the most prominent position amongst the Kayasthas at Allahabad at that time. His high position at the Bar was a great asset to the Kayastha Pathshala, which was then teaching up to the Intermediate standard. But he was an intensely busy man, and could not give adequate time to the work of the Pathshala. In June, 1900, when the High Court was sitting in the morning, for the first time, Munshi Ram Prasad died after a very short illness. The Trustees of the Pathshala soon met to elect a successor to him, and the choice fell upon the late Munshi Govind Prasad, who had been a Professor of Mathematics at the Aligarh College, and who had built up a large practice in the High Court, by the time he was elected President of the Pathshala. His election proved, however, unpopular with the local Kayastha community, as he was an outsider at Allahabad.

Munshi Govind Prasad was not only a sound lawyer, and a successful practitioner, but he was something more-a man with a rare capacity for administrative work, a man of liberal and progressive views, a man gifted with strong common sense, and great strength of character. But these qualities did not appeal to the mentality of the Kayastha community of Allahabad at that time. The first thing he did was to re-constitute the Executive Council by importing into it a good deal of new blood, and by appointing me the Secretary, and also the editor of the only monthly organ, in English, of the Pathshala, called the *Kayastha Samachar*, which had been conducted for one year (from July 1899 to June, 1900) by that veteran journalist, Babu Ramanand Chatterjee, the then Principal of the Pathshala, and long since famous as the editor of the *Modern Review*. He had, however, given up his work as editor at the end of the first year, and Munshi Govind Prasad, therefore, entrusted me with that work also. My tenure of office as Secretary lasted for four years, and came to an and in June,

1904, with the expiry of the term of office of Munshi Govind Prasad himself, and the election as his Successor of the late Munshi (afterwards Mr. Justice) Gokul Prasad.

The *Kayastha Samachar* had in less than two years come to be so well-established, and so well-known all over India it being then the only English journal, issued from Allahabad that it received an invitation to Lord Curzon's famous Delhi Durbar, of January, 1903; it being the only monthly invited out of a large number of news-papers and journals, which were recipients of invitation. As a result of it, the Executive Council agreed to the journal being called the *Hindustan Review* and *Kayastha Samachar*. On the election of Munshi Gokul Prasad as the President, there was unfortunately a deal of unpleasantness between him, as the President, and me, as the editor of the *Hindustan Review*, mainly in regard to the policy to be pursued by it, by not departing from its previous policy as a general record and review of public affairs in the country. With a view to outwit me, Munshi Gokul Prasad offered the editorship to a well-known journalist who was the editor at the time of an English weekly, which I had started in January, 1903, soon after my return from the Delhi Durbar of that year. But Munshi Gokul Prasad had, in doing so, reckoned without his host, for I immediately issued a prospectus of a new monthly to be edited by me, called the *New Hindustan Review*. Naturally feelings were roused, between the supporters of Munshi Gokul Prasad, and those who were sympathisers of the policy, which I had pursued till then, and which I proposed carrying on through the medium of the *New Hindustan Review*. At last, through the good offices of some friends, it was arranged that the Pathshala should transfer to me the proprietary rights and the good-will of the *Hindustan Review*, for a sum of Rs. 1,000/-, which amount I willingly paid to make the Review my own, and which I have conducted since single-handed from Allahabad, Calcutta and Patna, till it completed, in June, 1947, forty-seven years of its existence, being one of the oldest periodicals in the country.

The reference I have made above to the facts and incidents, connected with the *Hindustan Review*, will have conveyed to the readers the impression that there were even at that time feuds and factions amongst the Kayastha Pathshala Trustees, specially amongst those living at Allahabad-who naturally constitute a very important factor, being not only numerically large, but also always in a position to influence the decisions by reason of their being able to muster strong at the meetings of the Trustees-as against those coming from outside this city. The two parties at that time followed the lead of the late Choudhari Mahadeo Prasad Saheb, and Munshi Govind Prasad respectively-the former constituting the orthodox group, so to say, and the latter the liberal and progressive group. It will serve no useful purpose now to recall the details of the various points in controversy at that time. Suffice it to say that the differences were due to the mentality of the two leaders-the Choudhari Saheb, leading the

creedal party, so to say, on all social questions, and Munshi Govind Prasad, the non-creedal one. The Choudhari Saheb wielded very great influence with the local Kayastha community. His old connection with the Allahabad district and the city, his great wealth and fortune, his rigid orthodoxy, and his social influence, all contributed to his strong position in any matter that he undertook to support, as against Munshi Govind Prasad, a mere middle class man from the Shahjahanpur district, who could not bring any adventitious aid in support of his views or work with only myself as his right-hand man, and coming from Bihar.

Now weak and subdued, now strong and vehement, the eternal conflict in the Kayastha Pathshala administration, like the problem of the eternal triangle, ran its full course during the four years of the term of my office as the Secretary. Until Munshi Govind Prasad became Preseident, no such conflict had appeared in a marked degree, for the simple reason that the first two Presidents (Munshi Hanuman Prasad and Munshi Ram Prasad) were local men, who were regarded in the light of elderly relations by the Choudhari Saheb. But though no duly qualified local man being available at the time, the Allahabad Trustees put the best face upon the matter, they could not bring themselves to approve of, or to support, Munshi Govind Prasad, the new President, and his policy of reform and progress. Since then various changes have come about in the institution, and it has been for several years past a college, affiliated to the Allahabad University. But the unhealthy rivalry, between outside Trustees, still persists in diverse shapes and forms, and, at times, becomes almost a menace to the stability of the institution, which must be constantly guarded against by all well-wishers of the community. This warning is not unnecessary when the bursting of a storm may come about, sooner than later.

As Secretary of the Institution I made extensive tours throughout northern India, from Calcutta to Lahore, accompanied by the late Munshi Ram Prasad Varma, who was a very eloquent speaker, and whose co-operation was of very great assistance to me in the interest of the Kayastha Pathshala. I managed to collect, during my term of office, quite a large sum of money, by way of donations. But there were stormy meetings of the Trustees when the deputation accounts were placed for being passed, as the local Trustees strongly objected to certain items in the travelling expenses of the members of the deputation, one of whom happened to be the present President of the institution-Dr. Narayan Prasad Asthana-the Vice-Chancellor of the Agra University. But good sense, however, prevailed, and the accounts were duly passed, by an overwhelming majority, the minority (all local Trustees) vowing eternal protest. Later, at the prize distribution ceremony which was held in the old Pathshala grounds on a magnificent scale; and at which the then District Magistrate, Mr. Harrison, presided, I presented a long statement showing the record of work done by Munshi Govind Prasad during his four years' term of office as president. Mr.

Harrison in a felicitous speech, declared that he was bound to say that he found the record of Munshi Govind Prasad's administration satisfactory. The opinion of a District Magistrate, expressed in 1904, carried much greater weight than does that of the Governor-General, or a Governor, in 1948, and so the result of Mr. Harrison's declaration was that the local Trustees had no alternative left but to surrender and to own defeat. But both Munshi Govind Prasad and I felt that it was desirable in the interest of the Pathshala that the successor in the office of the President should be a duly qualified local man, and we decided to run Munshi Gokul Prasad. We, however, kept our secret. In the circumstances, brisk and active canvassing went on to elect some one else as Munshi Govind Prasad's successor.

There was a rule in those days that any Kayastha could become a Trustee of the institution, for one year, on payment of Rs. 12. This was a palpably bad rule, as it led to much intrigue and low device on the part of average contestants for an election, or their supporters. Taking advantage of this rule, large amounts of money used to be received by me daily, brought by the amlas of the Choudhari Saheb, with long lists of names of persons whose only recommendation was that they were members of the local Kayastha community. In this way the Pathshala received at that time no less than fifteen to twenty thousand rupees. These new members were all expected to vote for someone, who was to be run as a rival to Munshi Govind Prasad. At last the date of election arrived and the Trustees-the small number of the outside ones, and the very large number of the newly enrolled ones-met face to face in the old hall of the Pathshala. The accommodation in the hall was wholly insufficient for so large a number, and so there was an overflow meeting improvised in the grounds, where *sharbat*, ice-cream, *pan*, cigarettes and *birees* were being supplied to the new voters, free of cost. They had been asked not to bother themselves about the speeches made inside the hall, but to be ready to lift up their both hands, when a certain member of their party lifted up his first. But though the meeting lasted the whole day, and broke up late in the evening, the time of lifting up hands never arrived; for when all the work on the agenda had been finished, Munshi Govind Prasad quietly rose and declared that he did not seek reelection, and moved that Munshi Gokul Prasad might be elected his successor, which proposition was carried *nem com*.

If I so desired, I could recall from the repertory of my memory many other interesting incidents during the term of my office as the Secretary of the Kayastha Pathshala; but I refrain from doing so advisedly, as I trust that the few incidents I have recalled might not only interest the readers of this journal, but might even now point a moral to the present day Trustees.

12. Lieutenant-Governors And Governors I Have Known

Till 1854 the four Eastern Provinces of British India (namely, Bengal, Bihar, Orissa, and Assam) were administered by the Governor-General in Council through the medium of a Deputy Governor-General, who was usually a member of the Governor-General's Executive Council. But the administration of these four provinces had naturally deteriorated, as the Deputy Governor-General had to divide his time between the administration of these four provinces and his own departmental work. Accordingly, in 1854 it was decided that the administration of these four provinces should be placed directly under the control of a Lieutenant-Governor. Evidently preference was given to Lieutenant-Governor over a Governor on the ground that the existence side by side in Calcutta, the then capital of British India, both of the Governor-General and the Governor would be undesirable, if not in public interest, at any rate as affecting the prestige and dignity of "Burra Lat Saheb". It was, therefore, that no Governor was appointed for Bengal till 1912 when the seat of the Government of British India was simultaneously removed from Calcutta to Delhi.

On the establishment of the Lieutenant-Governorship of the four eastern provinces, Sir Fredric Halliday, a member of the Indian Civil Service, was appointed the first Lieutenant-Governor. He retired in 1859, but lived till 1901, when he passed away at the age of 94, after having enjoyed pension for 42 years. His three successors, all members of the Indian Civil Service, were Sir John Peter Grant, Sir Cecil Beadon, and Sir William Grey. The last retired in 1871, and was succeeded by Sir George Campbell, during whose tenure of office as Lieutenant-Governor, I was born. He was a stormy petrel, and his appointment roused public controversy, in as much as he was a member of the North-Western Provinces Civil Service, and had not been connected with the administration of the eastern provinces, except as a Judge of the Calcutta High Court for a few years. As he retired in 1874, when I was a baby, it goes without saying that I did not hear of him until I was older. But during his tenure of office as Lieutenant-Governor two important tragic incidents occurred which may be recalled even now, namely, the murder (in 1871) of the Officiating Chief Justice of the Calcutta High Court, the Hon'ble Mr. Justice Norman, as he was ascending the steps of the Town Hall on his way to his court, the new building of the High Court, which now houses the highest Judicial Tribunal of West Bengal, being still under construction; and the assassination, a few months later, in February, 1872, of the then Viceroy, the Earl of Mayo, while on a visit to the Andaman Islands. Another notable event during Sir George Campbell's administration was the formation of the Chief Commissionership of Assam, in 1874. It was not till 1912 that there was constituted the presidency of Bengal, under

a Governor, and the new province of Bihar and Orissa under a Lieutenant-Governor in Council. In 1920, Bihar and Orissa was placed under a Governor; and the first to hold that office was the late Right Hon'ble Baron Sinha of Raipur. In 1936 Orissa was separated from Bihar, and created a separate province. Sir George Campbell wrote two books on the old pre-Crown administration days in India, which are now of historic interest. But his book, called "Memoirs of My Indian Career" (published in two volumes) makes interesting reading even now, as the writer had served in important capacities in various provinces-the North-Western Provinces, Oudh, the Punjab, the Central Provinces, and lastly, in the four Eastern Provinces of British India.[67]

The first Lieutenant-Governor whose name I distinctly remember to have heard from my father, more than once, was Sir Richard Temple, afterwards the Right Hon'ble Sir Richard Temple, Bart. He succeeded Sir George Campbell in 1874, and vacated office in 1877, when he went to Bombay as the Governor of that Presidency. It was during his term of office that His Royal Highness the Prince of Wales (afterwards King Edward VII) not only paid a visit to Calcutta but also to Patna, and held a Darbar on the Patna maidan, which my father attended. In December 1921 at that identical spot was held a Darbar by his grandson, His Royal Highness the Prince of Wales (afterwards King Edward VIII), on which occasion, as the President of the Bihar and Orissa Legislative Council, it fell to my lot to preset to him an address, on behalf of the people of the province-my official costume on the occasion being the old-style court dress made of deep blue velvet, with breeches to match, with a mock-sword hanging by my side.

It was, however, the Darbar held by the then Governor-General and Viceroy of India, Lord Lytton at Delhi, in January, 1877, on the occasion of the assumption of the Imperial title of Empress by Her Majesty Queen Victoria, which was attended by my father, as he was invited to it as a *darbari* in appreciation of his work as a social reformer. Curiously, I have lived these seventy years since to see the revocation of that Imperial title by another parliamentary statute, enacted in 1947. At the Delhi Darbar my father was the recipient of a *Sanad* which carried certain concessions, in the matter of exemption from provisions of the Arms Act. The Darbar was held on the 1st January, 1877, by which time I was in my sixth year. The *Sanad* conferred on my father, which is still in my possession, was signed by Sir Richard Temple as the Lieutenant-Governor. I fully realised that my father was going to Delhi in connection with some great function there, and I insisted that I should accompany him, but though I cried myself hoarse and shed copiously bitter tears, my father did not take me with him. All that I got on his return, besides toys and sweets, was the *Sanad* mentioned above. Later, when I was in England, studying for the Bar, in the early nineties of

[67] Sir George Campbell, Memoirs of my Indian Career (Vols. I & II), London: Macmillan, 1893.

the last century, Sir Richard was a member of the House of Commons; and I was brought into contact with him at the meeting of the National Indian Association, and other institutions for the benefit of young Indians in London. Sir Richard was a fairly voluminous author, and wrote a number of books dealing with his Indian career and experiences and also biographical studies of some eminent Anglo-Indian administrators. Ge was regarded in the House of Commons as an insufferable bore; and the House always emptied as soon as he rose to speak.

Sir Richard Temple was succeeded in the Lieutenant-Governorship by Sir Ashley Eden, who was a son of the third Lord Auckland, and nephew of the Earl of Auckland, Governor-General of India. Mr. Anthony Eden, Foreign Minister of the Churchill Cabinet, belongs to the same family. During the term of his office as Lieutenant-Governor, which lasted from 1877 to 1882, I was sufficiently grown up to glean from my father, and also from a perusal of newspapers, several matters relating to public affairs. But apart from that, I had an occasion to see Sir Ashley from a distance, more than once, when he came to Dumraon to install the young heir to that estate on the *gaddi*, some incidents in connection with which I have set out at length in the earlier portion of my reminiscences. That incident showed that Sir Ashley Eden possessed not only fairness but also strength of character. His name came into great prominence not long after, during the term of his successor, Sir Rivers Thompson, who served as Lieutenant-Governor from 1882 to 1887. During this period I was one of the senior students of the Arrah Zillah School, and I remember very well the storm that had burst in connection with what was popularly known as the Ilbert Bill.

It was Sir Ashley Eden who, on receiving a note on the subject of the amendment of the Code of Criminal Procedure from Mr. B.L. Gupta (one of the earliest batch of Indians in the Indian Civil Service, and who retired as a judge of the Calcutta High Court) submitted it to the government of India with a recommendation on the lines suggested by Mr. Gupta, who and the other Indians who were his colleagues, were described in those days as "native members of the covenanted Civil Service". Accepting the view propounded by Mr. Gupta, Sir Ashley Eden, in his note to the Government of India, said: "for these reasons Sir Ashley Eden is of opinion that the time has now arrived when at least native covenanted civilians, who have attained the position of District Magistrate or Sessions Judge, should have entrusted to them full powers over all classes, whether European or native, within their jurisdiction". This was the last important communication on the subject received from Sir Ashley Eden by the Government of India, as he made over charge to his successor soon after.

Sir Ashley was a popular Lieutenant-Governor and a marble statue stands in his memory on the north side of the Dalhousie Square, in Calcutta, which was unveiled by Sir Stuart Bayley during his term of office as Lieutenant-Governor.

The Ilbert Bill, and the tremendous storm it evoked, during its passage in the Imperial Legislative Council, is a subject which is still vivid and fresh in my mind as if it happened yesterday; and I, therefore, deal with it in a separate chapter. Suffice it to record here that Sir Rivers Thompson was of the opposite view from that entertained by his predecessor, Sir Ashley Eden, and in his note on the bill, he opposed the proposed enactment very strongly. The only Indian Judge of a High Court at that time (Mr. Justice Romesh Chandra Mitter) who, in his note on the subject, had supported the principles and the provision of the Bill, as introduced in the Legislature by the then Law Member, Mr. C.P. Ilbert, from whose association as its sponsor the Bill took its name in common parlance, came in for much animadversion at the hands of the Britons then in India.

I have described in an earlier section, Sir Rivers' visit to Arrah, and my appearance before him to recite a poem specially composed in his honour by the Additional Headmaster of the Arrah Zillah School. Altogether, my recollections of Sir Rivers Thompson either as an individual, when I appeared before him, or as a Lieutenant-Governor, in connection with his attitude towards the Ilbert Bill, are far from agreeable. But I recall with pleasure that the 16th February, 1887, which was the day appointed by the Viceroy for the celebration in India of the Jubilee of Queen-Empress Victoria, in commemoration of the fiftieth year of her Majesty's reign, was duly celebrated at my native town, Arrah, as at all other important places throughout the length and the breadth of the country. On that festive occasion, which still stands out fresh in my mind, the District Officer, the most important local official, then as now, drove in procession through the streets of Arrah amidst much popular enthusiasm. The celebration was solemnised in the day, and a Darbar was held in the afternoon, which was attended not only by the officials and the leading non-officials, but also by a number of senior students, amongst whom I happened to be one. Loyal speeches were made by the District Officer, and also by some leading non-officials amidst much applause. In the evening, there was the usual display of fire-works on the Arrah maidan, and the main streets of the town were illuminated, with the spacious *Darbar* canopy was converted into a successful *nautch-party*. A large number of the poor were fed in the afternoon. Altogether, the Jubilee celebration of Queen Empress Victoria was a highly successful function. Who could then even imagine that just in no more than seventy years since, British rule in India would be extinct as the dodo? Who indeed?

Sir Rivers Thompson was succeeded by Sir Steuart Bayley in 1887, who retired early in 1890, without completing his full term of five years, to take up the Secretaryship of the Political and Secret Department in the Secretary of State's Council at the India Office, to which much importance was attached in those days. Later, he became a member of the Secretary of State's Indian Council, which existed till India became a Dominion in 1947. Sir Steuart had served

during his earlier years on the judicial side as the Civil and Sessions Judge of my native district, Shahabad, in 1867, and was thus on friendly terms with my father. He paid an official visit to Arrah in 1888, as the Lieutenant-Governor, and inspected the Zilla School of which I was the student in the Matriculation standard. The previous day my father had gone "to pay his respects" (as we say in this country) to the Lieutenant-Governor, and had sought his permission to take me with him. Accordingly, I accompanied my father, and was charmed with Sir Steuart's courtesy to father, and kindness to myself. I noticed that as the result of his having served in the Political Department and, particularly, as the Resident at the court of His Highness-he was not "exalted" till much later - the Nizam of Hyderabad, Sir Steuart spoke Hindustani remarkable well. When he came to visit the school the next day, he recognised me, and put to me some questions. He reached London soon after my arrival there in February, 1890, and was entertained at a banquet by the ex-Viceroy, Lord Northbrook, at the Northbrook India Club, as its President, at which some interesting speeches were made. Sir Steuart Bailey lived to the very advanced age of 92, and died so late as 1925, after having enjoyed pension for nearly 35 years.

Sir Charles Elliott, who succeeded Sir Steuart Bailey in 1890, was still the Lieutenant-Governor of the "Lower Provinces" of Bengal, Behar and Orissa," when I returned home after my call to the English Bar, in 1893. Unlike his predecessors, (except one, Sir George Campbell) he had not served in the province, but he had made his mark in the North-Western Provinces and Oudh as an expert in survey and settlement, and in Famine Administration. After the lapse of nearly more than fifty years, I recall but two incidents during his administration which are worth recording-one spectacular, and the other administrative. The former was the visit of his Imperial Highness the Grand Duke Czaritch of Russia, who became later the Emperor Nicholas, and who was the last of the Czars of all the Russias.

In 1894, Sir Charles's "Jury Trial Notification" brought about a great political turmoil. That trouble arose in this way. Under the India Councils Act of 1892, the Governor-General in Council was empowered by proclamation to increase up to a maximum of twenty the number of Legislative Councillors, whom the Lieutenant-Governor might nominate for his assistance in making laws and regulations. Accordingly in March, 1893, the Governor-General in Council notified an increase (in the number of Legislative Councillors whom the Lieutenant-Governor might nominate) form twelve-at which figure, it had stood since 1862-to the maximum of twenty. The result was a much stronger and more representative legislative council than that which had existed till then. Meanwhile correspondence had been going on between the Government of India and the Lieutenant-Governor in connection with the extension or curtailment of the right of trial by jury.

Sir Charles Elliott who was by no means enamoured of the system then in force, had submitted proposals for modifying the classes of offences which should be made triable by jury. These recommendations having been accepted by the Government of India, a notification, published in October, 1892, embodied the alterations as approved by the Government of India in respect of the classes of cases to be tried by jury. The publication of these orders was received, however, not only by the Indian public, but also by the British non-official public in the country, and the organs in the press of Indians and Britons, with much dissatisfaction and disapproval, and evoked an agitation in which the British members of the English Bar in Calcutta High Court also took an important, active, and prominent part. The echo of the controversy resounded throughout the length and the breadth of the country, with the result that the Secretary of State and the Government of India agreed to the appointment of a representative Commission with instructions to consider the various points raised in the controversy, and to submit their report to Government on a practicable scheme which might be acceptable to all concerned.

The Commission came to the conclusion that it was desirable that the classes of offences which were triable by jury, till October 1892, should continue to be so triable, and that the revised notifications be accordingly amended. In other words, they suggested the cancellation of the revised notification which was accordingly done, and popular opinion thus triumphed against bureaucratic obtuseness. Sir Charles Elliott went on six months' leave to recoup his health after this shock-the usual official subterfuge-and Sir Antony MacDonnel, a highly qualified Bihar official, who was at that time Chief Commissioner of the Central Provinces came as the Officiating Lieutenant-Governor during the remaining term of the office of Sir Charles Elliott. No other incident occurred at that time which now needs recalling. Sir Charles retired in 1895, and was succeeded by Sir Alexander Mackenzie, who was at that time a member of the Executive Council of the Governor-General.

Sir Alexendar Mackenzie, who succeeded Sir Charles Elliott, in 1895, did not complete his full term of five years owing to ill-health. He retired in 1898. Not long after his appointment he made himself famous by delivering an address at the Calcutta Corporation on the occasion of laying the foundation stone of new works for the extension of the drainage of that city. His speech, which created considerable sensation not only in Calcutta but throughout the country, was a threat to amend substantially the Calcutta Municipal Act in force at that time. It was undoubtedly a vehement speech, violating all good and decent traditions of Government. I may reproduce but one sentence from the Lieutenant-Governor's address. Said he: "I think everybody in Calcutta outside the Corporation, and a good many people inside it, will admit that there is here far too much speaking for the sake of speech, that your executive is not now strong enough for action, and is far too readily upset and interfered with; that work is often

done twice or thrice over, and is often spoiled by the multitude of counsellors or cooks, and that far too much deference is paid at times to the wishes and objection of special interests". "Counsellors or cooks" a delightful figure of speech displaying sharp contrast. The Bill embodying the provisions for the curtailment of the powers of the Corporation roused tremendous indignation amongst the public and in the press, but it was placed on the statute book, in spite of all opposition, with the votes of the standing official majority in the Legislative Council. It continued to govern the administration of the Calcutta Corporation until it was replaced by a popular legislation on the subject during the time that Sir Surendra Nath Banerjee was the first popular Minister in the Bengal Government.

The only other matter which I would have liked to mention was Sir Alexender Mackenzie's visit to Gaya, where he was presented with an address on behalf of the District Board and the Municipality of the city, wherein a suggestion was made for the separation of Bihar and its constitution into a separate independent administrative unit. That, however, is an important subject in which I was principally concerned and which, therefore. I shall deal at some length elsewhere.

Sir Alexender Mackenzie's successor was Sir John Woodburn, who assumed charge of office in April 1898, but died in November 1902 before completing his full term of office. He had served throughout his career in the North-Western Provinces and Oudh, and spoke chaste and polished Hindustani. He was a great social figure in Calcutta. Dressed in grey frock coat, and grey top hat he made a splendid figure on the Calcutta Turf Club races. He was not quite at home, however, in the administration of the provinces of Bengal, Bihar, and Orissa, since the revenue system obtaining in them was not familiar to him. He was more at home amongst the people of Bihar, because of their linguistic and cultural affinity with the people of the North Western Provinces and Oudh, amongst whom he had served during practically the whole of his official career. Owing to his premature death Mr. (afterwards Sir) John Bourdillon was appointed as the officiating Lieutenant-Governor and he worked in that capacity for about one year, when he was succeeded by the permanent incumbent, Sir Andrew Fraser, who had served during the greater part of his official career in the Central Provinces. It was as the officiating Lieutenant-Governor that Mr. Bourdillon was present at Lord Curzon's Delhi Darbar in January, 1903. In the November of that year Sir Andrew Fraser took over the administration of the provinces after having completed his work as the President of the Police Commission. Sir Andrew Fraser's administration, which lasted till April 1906, was famous, or rather notorious, for Lord Curzon's Partition of Bengal, in which Sir Andrew Fraser acquiesced, and so the creation of the province of Eastern Bengal and Assam, was inaugurated in October 1905. Although Calcutta remained the capital of the old province, (officially and absurdly called even af-

ter the partition) "Bengal" the fact remained that of the five Commissionerships of Bengal as many as three had gone to the making up of Eastern Bengal and Assam and only the two western ones remained with Bihar and Orissa as the charge of Sir Andrew Fraser.

Thus his jurisdiction of the old province having been substantially reduced over Bengal, he was the first Lieutenant-Governor who took some interest in the affairs and fortunes of Bihar, which had now become the predominant partner in the Bengal administration. Sir Andrew immediately acquired a famous old building at Patna, and converted it into Government House. He agreed to receive soon after, at the said Government House, an address at a representative gathering of the people of Bihar, about their grievances, which was read out by the then Maharajadhiraja of Darbhanga. In fact, he was the first Lieutenant-Governor, since the creation of that office in 1854, who did something for the Biharees, and was consequently popular amongst them. To mark their sense of appreciation of his efforts to improve the condition of the Biharees, they raised a fund, which is associated with his name, from the income of which a large number of scholarships and stipends are awarded to deserving Biharee candidates for higher education in Science. Sir Andrew Fraser was succeeded in December 1908 by Sir Edward Baker, who had been till then the Finance Member of the Governor General's Executive Council.

Sir Edward Baker who had come to Belvedere with a high reputation, could not achieve much owing to continued ill-health, and he retired in September, 1911, after putting in less than three years' term of office as Lieutenant-Governor. He kept up the tradition created by his predecessor Sir Andrew Fraser, of spending a few weeks at Patna, but his interest mainly lay in Calcutta social circles, where he had numerous Indian friends. Biharees felt aggrieved that the first Indian member of Sir Edward Baker's Executive Council was not selected from amongst the people of Bihar, which province had as explained above, become the predominant partner (in area and population) than either Western Bengal or Orissa, as the result of the Curzonian Partition of Bengal, in October 1905. I can recall nothing particular at this date worth recording about Sir Edward's administration. Sir Edward was succeeded by Sir William Duke, who had long served in Bihar, and who was the last Lieutenant-Governor of what was still called with characteristic official perversity as "Bengal". In December, 1911, King-Emperor George V held at Delhi his memorable *darbar* at which, at the end of the ceremonials, he himself announced the transfer of the capital of India from Calcutta to Delhi, the revocation of the Curzonian Partition of Bengal, the restoration of Assam to its old status of a Chief Commissionership, the elevation of Eastern and Western Bengal to the status of the combined Presidency of Bengal under a Governor-in-Council, and the constitution of Bihar and Orissa into a Lieutenant-Governor-in-Council. The Darbar, being thus a highly important episode not only in the history of modern Bihar – but

also in that of India in so far as it changed the capital of the country – I have dealt with it at some length in a separate chapter. Suffice it to say here that with effect from April 1912 Bengal ceased to be under a Lieutenant-Governor, Sir William Duke being the last officer bearing that designation to hold charge of that office.

Before Sir William's successor, Lord Carmichael (till then Governor of Madras) assumed charge as the first Governor of Bengal on the 1st April 1912, there was an interesting incident in the Bengal Legislative Council in which I played a prominent part. Sir William Duke's government had introduced into the Provincial Legislative Council a very contentious agrarian measure dealing with tenancy legislation in Orissa. The proposed Bill met with severe opposition alike from the representatives of the landlords and of the tenants, but as the Orissa representatives were only two in the Council, it was a cry in the wilderness. The Lieutenant-Governor and his Executive Council (the latter consisting of two British civilians and one Indian landlord, a Raja) were determined to push the legislation through, and to place it on the statute book before the 31st March, when the new administrative system, proclaimed by the King-Emperor George V, would come into effect. I was at that time one of the two representatives in the Provincial Legislative Council, the other being the late Mr. Bhupendra Nath Basu. The two Orissa representatives (the late Mr. Madhusudan Das, representing the tenantry of Orissa, and the Raja of Kanika, the landlords) approached me to help them, if I could, in getting the Bill, when enacted, vetoed by the Governor-General (as Viceroy). That exalted office was held at that time by the late Lord Hardinge, whom I met just about that time at a reception held at the Government House. I put it to him tactfully that considering that only a month later Bihar and Orissa would have a Legislative Council of their own, in which there would be an appreciably large number of Orissa representatives than only two, it was but fair that that contentious legislation should be undertaken by the Legislative Council of the new province of Bihar and Orissa, rather than by the expiring council of the old province of "Bengal". This argument carried conviction to Lord Hardinge, and he wanted me to tell him, then and there, how he could help the people of Orissa against the official hierarchy constituting the Government of Bengal. I told him hurriedly that the legislation could not take effect unless he, as the representative of the Crown, gave his formal assent to its being brought into force. He said straightaway that he would refuse assent. I suggested that he should consult his Law Member, Sir Ali Imam, and he promised to do so.

The next day was fixed for the Viceroy's departure from Calcutta to take up his residence at Delhi, which had been declared by the King-Emperor George V to be once again the capital of India. The Government House hall was crowded with Calcutta notabilities to bid farewell to the Viceroy, who was leaving the old capital, which had been intimately associated by them for nearly a century

and a half with the foundational development, expansion and consolidation of British rule in the country. The time fixed for His Excellency's departure was 3 o'clock in the afternoon, and it was expected that he would be in the hall half an hour earlier to take leave of his numerous friends assembled there; but there was no trace of the Viceregal *entourage* till even quarter past three. Naturally, the great delay in the arrival of the Viceroy became the subject of talk in the large assemblage in the hall. At last, at about half past three, the Viceregal party emerged from the corridor, consisting of Lord Hardinge, Sir William Duke, the Lieutenant-Governor, Sir Ali Imam, the Law Member, and the Government House staff. Immediately, we fell into our respective positions, and the Viceroy began to bid good-bye. When he came up to me, he said at once "well; you will be glad to learn that, as suggested by you, i have vetoed the Orissa Bill, although Sir William Duke pressed me hard to give my consent to it. Ali Imam will tell you the whole story." I thanked him in no conventional sense. Later, in the evening Sir Ali Imam told me the whole story; how there had been a regular wordy tussle between the Viceroy and the Lieutenant-Governor; how the latter had said all that he could to induce Lord Hardinge to give his assent to the Bill, how he had appealed to him in the name of British prestige and the local government's *izzat* (honour) to accord his formal consent to the enactment of the measure, but all in vain. The same evening I was returning from Calcutta to Patna and I met at the railway station the two Orissa representatives in the Legislative Council (Mr. Madhusudan Das and the Raja of Kanika), who got the first intimation of the rejection of the Bill from me. They were overjoyed. Mr. Das, who was about sixty-five at the time, began to cut capers on the platform. They went back to their homes supremely happy. The next morning there was a tremendous uproar when the news appeared in the press. The news papers were full of it. The 'Statesman' wrote an editorial on the subject in which it paid me the compliment of being a "shrewd" politician, who was wholly responsible for having brought about the *contretemps* in which Sir William Duke and his Government had found themselves sprawling. Some months later a new Bill was introduced by the Bihar and Orissa Government in the Provincial Legislative Council, and was placed on the statute book in due course with the approval and the consent of the representatives of the people of Orissa.

Lieutenant-Governors and Governors of Bihar and Orissa

The first Lieutenant-Governor of Bihar and Orissa was Sir Charles Bayley, who was a nephew (brother's son) of Sir Steuart Bayley, Lieutenant-Governor of Bengal, Bihar, and Orissa from 1887 till 1890. Sir Charles had begun his career in the Indian Civil Service in Bihar, but had thereafter served long not only in Bengal, but in various Indian States as a member of the Political Service.

He was a Resident at the Nizam's Court at Hyderabad when he was selected to succeed Sir Bampfylde Fuller on the latter's resignation, as his successor and the second Lieutenant-Governor of the now defunct province of Eastern Bengal and Assam. He was chosen as Sir Bampfylde's successor because, like him, Sir Charles also enjoyed the reputation of being a strong ruler, such as that fractious province was believed to need at that time. He continued to govern at Dacca, the capital of the new province, till April 1912 when, as the result of the announcement made at the Delhi Darbar in the previous December by the King-Emperor George V, the Eastern Bengal and Assam Province ceased to exist, and the Bihar and Orissa province came into existence, the two Bengals (Eastern & Western) being united together to form the new Presidency of Bengal, and the capital being removed from Calcutta to Delhi. Sir Charles was at the Delhi Darbar, in December 1911, and I and my colleagues of the Imperial Legislative Council were also there on the same errand. Except the members of the Governor-General's Executive Council at the time, and Sir Archdale Earle, the Home Secretary, no other person had the least idea of what was going to be announced by the King Emperor. I had my shrewd guess about it (for reasons set forth in the chapter dealing with the constitution of Bihar as a separate province) but, of course, I also did not know the exact details of the changes which were to come about; nor did it at all strike me that Calcutta would cease to be the capital of India, and Delhi reinstated in its place. At the same time, not only Delhi but the whole of India was agog with all kinds of rumours about concessions to the people in general, and to those of Bengal in particular. It was popularly believed that the King-Emperor would be the bearer of some message of satisfaction and contentment to the Indians, in general, and the Bengalees in particular.

Khwaja Sir Salimulla of Dacca was the most outstanding supporter of the Curzonian partition resulting in the constitution of the province of Eastern Bengal and Assam, of the capital of which, namely Dacca, he was then the most prominent citizen. He was also at Delhi as one of the invitees of the Government of India. Naturally, he was much exercised about the rumours abroad at the time, in respect of the fortunes of his province, and he used to see Sri Charles Bayley almost daily to find out if there was any truth in the rumours then afloat. But Sir Charles, who himself had been kept in the dark about the coming changes and had not even the remotest inkling of them, pooh-poohed the apprehension of the Dacca Nawab, and told him that there was absolutely no foundation for his fears and anxieties. Sir Salimulla (who had served in Bihar as a Deputy Magistrate in his younger days, and was well-known to me) told me the day after the Darbar that each time he talked to Sir Charles Bayley on the subject, the latter would turn round on him snappishly, and ask him, or rather shout at him: "Do you think that if any change was going to be announced at the Darbar, I, the Lieutenant-Governor of the Province of

Eastern Bengal and Assam, and the head of its administration, would know nothing about it till now. Do you think that the Viceroy would keep back from *me* the information about any proposed change?" Such questions put to him imperiously silenced the poor Dacca Nawab. When soon after the King Emperor's announcement at the Darbar of the administrative changes, including the abolition of the Eastern Bengal and Assam Province, the Nawab of Dacca's name appeared as the recipient of one of the highest titles and distinctions-the Knight Grand Commandership of the Exalted Order of the Indian Empire-he rushed to Sir Charles Bayley to tell him that he regarded it as a "halter round his neck", which had been conferred on him to strangle his throat, disabling him as such from speaking out his mind. Although the Dacca Nawab's metaphor was mixed, the sense he intended to convey to Sir Charles Bayley was perfectly clear. When he told me the story at Delhi, I asked him what Sir Charles told him in reply. The Nawab said: "He could say nothing definite or coherent he only said to me 'well', 'well', 'well', and then stopped there." Sir Charles returned to Dacca truly a sadder but (I trust) a wiser man, and came to Patna in April 1912 to assume office as the first Lieutenant-Governor of the new province of Bihar and Orissa.

Another important incident which I may recall in connection with Sir Charles Bayley and his administration of Bihar and Orissa was that relating to the English daily called the 'Beharee'. Rai Bahadur Sheoshankar Sahay, the then manager of the large and important Banaili Estate, with that political insight which was characteristic of him, realised, soon after the constitution of Bihar and Orissa as a separate province, in 1912, that a first class daily in English was absolutely essential to the well-being of the new province, now that she had to stand by herself. He asked me to help him in organising a well-conducted English daily at Patna and, with my fullest co-operation and substantial pecuniary help which he managed to secure form the proprietors of the Banaili Raj, he turned the weekly *Beharee* into a daily, which made its first appearance on the day Sir Charles Baylely arrived at Patna, the capital of the new province, in April 1912. A capable and qualified Beharee publicist, Mr. Maheshwar Prasad, Lecturer in Economics in the Muir Central College at Allahabad, and later the first Indian Registrar of the Patna University, was induced to resign his post to assume charge of the new Daily which under his editorship, appeared on the date on which the new province was formally inaugurated by the new Lieutenant-Governor. It was not long, however, before the policy of the paper displeased Sir Charles Bayley who (by reason probably of his training as a Political Officer in the Indian States) was intolerant of even moderate criticism. But what displeased Sir Charles most was that Mr. Maheshwar Prasad took up in right earnest the cause of the North Bihar tenantry against the British indigo planters, and wrote a series of vigorous articles, based on the findings in numerous judicial pronouncements in which the courts, civil and criminal, had

strongly denounced the dealings of the planter with their tenants. Sir Charles Bayley, who disliked the tone and the outspoken policy of the *Beharee*, evidently thought that he should teach Mr. Maheshwar Prasad a lesson. He knew of course that the paper though nominally owned by a limited liability company, was practically maintained from the funds supplied by the Banaily estate. He, therefore, at once sent for the Managing Director, Rai Bahadur Sheoshanker Sahay, the Manger of the Banaily estate-and when the latter went to meet him, he found him entrenched behind a large pile of files, containing cuttings from the "Beharee".

The substance of the conversation between the Lieutenant-Governor and the Manager of the estate can well be imagined. Sir Charles insisted that the editor had been guilty of disseminating matter calculated to embitter the relation between his Majesty's British and Indian subjects and that, as such he should be removed immediately and replaced by a true-born Briton, on pain of the paper being visited with penalties under the Press Act. There was no option left to the Managing Director but to surrender at discretion, and so Mr. Maheshwar Prasad was sent away, after occupying the editorial chair for about a year and a half, as a Sub-Manager to realise rents and profits from, and grant receipts to, tenants of the Banailly Estate, and a British Journalist (who was at that time what is called 'a paste-and scissors-man' on the staff on an Anglo-Indian daily in Calcutta) was installed in the editorial chair of the "Beharee". The new British Editor had scarcely been in charge for even one week when Sir Charles graciously sent to the Managing Director of the *Beharee* an autograph letter congratulating him on his good sense in appointing a British editor, and also expressing his appreciation of the lines on which the new editor had been conducting the paper. Thus Sir Charles Bayley succeeded wonderfully in his effort at suppressing the free expression of independent public opinion in the province, and in safeguarding it from the effects and influence of the then rising tide of nationalism in the country.

The only other incident I shall recall of Sir Charles Bayley's administration was his refusal to agree to the transfer of Mr. Justice Hasan Imam from the Calcutta to the Patna High Court, on the establishment of the latter in 1916, and of his successful effort in bringing to Patna from Calcutta, Mr. Justice Sharfuddin, by inducing the Government of India to give him one year's extension of service. Mr. Justice Sharfuddin was the maternal uncle of Sir Ali Imam and his younger brother, Mr. Justice Hasan Imam. The latter had practised at the Patna Bar from 1892 in which year he was called to the bar, till 1910, when he started practice in the Calcutta High Court. He was an advanced nationalist and it fell to his lot to invite at the Calcutta Session of the Congress, held in December 1911, the next session to be held at Patna in December 1912. But soon after, early in 1912, he was elevated as a permanent judge to the Bench of the Calcutta High Court. He had served for about four years in that capacity, when the Patna

High Court was inaugurated in March, 1916. Mr. Justice Sharfuddin would have completed his sixtieth year by the end of 1915 and so it did not occur to any one that he would be coming as a Judge to the Patna High Court. But Sir Charles Bayley thought otherwise. While he was Lieutenant-Governor of Eastern Bengal and Assam, he had read in the papers of that important episode which stood out prominently in Mr. Justice Hasan Imam's judicial career. Few cases of Executive high-handedness in Bihar can be recalled to rival the prolonged and unceasing harassment to which two landlords in the district of Bhagalpur had been subjected by two successive District Officers-both British members of the Indian Civil Service. The preventive and the punitive sections of the Code of Criminal Procedure, had been brought into requisition by them against these landlords with relentless severity, and they had been forced into prolonged and ruinous litigation in the interest of their liberty and property. Mr. Justice Hasan Imam, before whom the cases happened to come up in revision, summoned the two District Officers concerned, examined them at length in his court, and ultimately quashed the entire proceedings. His judicial strictures on the two District Magistrates, (one of them, afterwards, a Governor of Assam) caused naturally considerable sensation at the time, as it was one of the very few occasions when a High Court Judge had felt himself forced to take such strong action against two senior British members of the Indian Civil Service. This notable episode in the career of Mr. Justice Hasan Imam, while it justly redounded to his credit as an upright and independent judge, who proved himself the refuge of the weak and the oppressed against executive excesses, naturally gave dire offence to the Executive authorities all over India, and particularly in the two provinces of which Calcutta and Dacca were headquarters at the time, and the Calcutta High Court was the highest joint tribunal for the purposes of judicial administration. It is this episode in Mr. Justice Hasan Imam's judicial career that led Sir Charles Bayley to take up a singularly hostile attitude against his being transferred as a Judge to the Patna High Court, when some others were so brought over. It was popularly believed that in the discussion of the question between the Provincial and the Central Governments, matters came to a crisis when Sir Charles threatened to resign, if Mr. Justice Hasan Imam was brought over from Calcutta to the Patna High Court. At last, a truce was patched up between the two Governments by their agreeing to bring over to the Patna High Court Mr. Justice Sharfuddin on one year's extension of service. Mr. Justice Hasan Imam, on resigning his office in the Calcutta High Court, joined the Patna High Court Bar the very next day, and attended as an Advocate the opening ceremony of the Patna High Court. Since then for over seventeen years, till his death, in 1933, Mr. Hasan Imam had been one of the acknowledged leaders of the Patna Bar, and an Advocate of all-India fame.

13. Viceroys I Have Known

When I was born (in November, 1871) the Earl of Mayo was the Viceroy of India. It was not long, however before he was assassinated at Port Blair, in the Andamans. The Governor of Madras, as the senior of the two Governors at that time (namely, of Madras and Bombay), sailed for Calcutta to assume the reins of administration as Viceroy. But a journey by boat between Madras and Calcutta used to take several days in the early seventies of the last century; and as someone had to step into the shoes of the deceased Viceroy immediately, Sir John Strachey, the senior Member of the Governor-General's Executive Council, was proclaimed the Governor-General and Viceroy of India, pending the arrival of Lord Napier, the then Governor of Madras. Even when Sir John Strachey retired, in 1880 (owing to the dispute about his serious underestimate, a Finance Member of the cost of the war in Afghanistan) I had just heard his name mentioned in the course of conversation between my father and his friends; but knew nothing about him or his work as an administrator. On his retirement, however, he was a member of the Council of India from 1885 to 1895, and I was frequently brought into contact with him in the Northbrook Indian Club, in London, during the years I was a law student in the early nineties of the last century. He introduced me to his elder brother, Sir Richard Strachey. Both the brothers were truly remarkable men, so far as experience of Indian administration was concerned. Sir Richard was born in 1817 and died at the age of 92, in 1908, while his younger brother, Sir John, who was born six years later, in 1823, predeceased him by one year.

Sir John Strachey had mainly served in the then North-Western Provinces, of which he was Lieutenant-Governor from 1874-1876. His elder brother, Sir Richard, who had joined the Bombay Engineers in 1836, maintained his connection with India till the end of the nineteenth Century. Both the brothers jointly produced a book, called the *Finances and Public Works of India*, which though issued so far back as 1882, is nevertheless highly informative even now, in regard to the administration of the country in these important departments in the earlier years of administration of the country under the Crown.[68] By far more valuable and important than that earlier work by the brothers Strachey was the course of lectures delivered in 1884, by Sir John, before the University of Cambridge, which was published, in 1888, under the title of "India"; and a second revised edition of which appeared in 1894. In 1903 he made final

[68] Sir John Strachey, Lt.Gen. Richard Strachey, The Finances and Public Works of India from 1869 to 1881, London: Kegan Paul, 1882.

revision of the book, and a fourth edition was edited, after the author's death, by Sir Thomas Holderness, in 1911.[69]

The Strachey brothers, as I knew them during my student days in London, were typical of the old school of 'Indians' (as they were called), graphically depicted by Thackeray in *Vanity Fair*[70], and some other works dealing with Anglo-Indian life. As an expression of their views and sentiments toward India and Indians, Sir John's book is frankly hostile to our aspirations for economic and political freedom. But in spite of the long period that has elapsed since its first appearance, even in its revised form, the fact remains that the statement of the London Times, which appeared on the day after the death of Sir John Strachey, that the book was still "the most concise and informed of detailed expositions of the principles and methods of British rule in India" is quite correct. The reason is nor far to seek, for, as Sir John himself put it in the preface to his book, "there is hardly a great office of the State which one or other of us has not held, and hardly a department of the administration with which one or other of us has not been intimately connected". That is perfectly true, and it is, therefore, that I have never failed to recommend strongly to students of Indian Administration- and I do so still-a careful study of Sir John Strachey's book, which appeared in its last edition under the title of *India: Administration and Progress*.[71] His views are his own, but the vast array of sound and useful information in the book is there for the advantage of all students of the subject.

The connections of the Strachey family with India, which had begun in the 18th century with Sir Henry Strachey, who was the first Baronet; and Private Secretary to Clive, in 1764, was maintained till the 20th century by Sir Arthur Strachey, a son of Sir John Strachey. The latter was called to the English Bar in 1883. Soon after he started practice in the Allahabad High Court, where he rose to be the Government Advocate, and in 1895, was elevated to the bench of the High Court at Bombay. He remained there for four years, and returned to Allahabad as the Chief of the High Court in 1899. I used to know him well, since I had been practising in the Allahabad High Court since 1896. He was a man of amiable disposition, and was liked by everyone who was brought into contact with him. He died prematurely at Simla, in 1901, since which time the direct connection of the Strachey family with this country ceased to exist. His term of office, as a Judge of the Bombay High Court, is still recalled in legal and political circles in this country for his having tried, in 1897, the late Shri Bal Gangadhar Tilak, on a charge of sedition. His charge to the jury

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69 Sir John Strachey, India: Its Administration and Progress, London: Macmillan, 1903 (third edition, revised and enlarged). It is quite likely that Sinha had access to the fourth edition, but the avid book collector and reader that he was, he might have all four editions.

70 William Makepeace Thackeray, Vanity Fair, London: Smith Elder & Co., 1868 (1848).

71 Sir John Strachey, India: Its Administration and Progress, London: Macmillan, 1903 (third edition, revised and enlarged).

roused considerable controversy, because of his having said in the course of it that "disaffection was absence of affection". The matter went in appeal before the Privy Council, which was presided over by no other than Lord Halsbury, the then Lord Chancellor; while Shri Tilak's leading Counsel was the future Prime Minister of Britain, Mr. Henry Herbert Asquith. In the end, the Privy Council held that, taking the charge as a whole, there was nothing which could reasonable be urged against it. The appearance of Lord Halsbury as a Judge of the Privy Council, while he was also a member of the British Cabinet, which is believed to have approved Shri Tilak's prosecution, roused great acerbity of feeling in this country, at that time.

In due course Lord Mayo's successor was found in Lord Northbrook, who assumed office in May 1872, and retired in April 1876, before putting in his full term of five years. Of course, I have no recollection of the incidents briefly mentioned above which I have jotted down for the sake of the continuity of the narrative, but by the time Lord Lytton succeeded Lord Northbrook in 1876, and continued in office till June 1880, I was precocious enough to learn and understand many things which my father used to read out to me from the newspapers in Hindi and Urdu, which he used to get regularly. But though I do not remember the incidents of Lord Northbrook's administration it fell to my lot to know the ex-Viceroy rather well during the years that I spent in London, as a law student, from 1890-93. Lord Northbrook was deeply interested, according to his lights, in the welfare of India; and his great hobby was to bring together Indians and Anglo-Indians, who might be staying in London. With this object in view, he started, soon after his return to London, a very fine Club, known after him as the Northbrook Indian Club. It was situated in Whitehall Gardens, close to the India Office, and the other public offices of the British Government.

The Club, though small, and non-residential, had almost all the appointments and conveniences of a high-class institution of its class and kind. It had a very good collection of books, in general, and on India, in particular. Interested as I was in acquiring general knowledge by study of books, I welcomed the opportunity which Lord Northbrook gave me, soon after my arrival in London, to take up the librarianship of the Club. I continued as Honorary Librarian of that Club until my return to India in 1893. The club afforded a pleasant meeting ground for retired Anglo-Indian officials and also for those in service in India but on leave in London. It also enabled the Indians (mainly students) to meet their fellow countrymen from various parts of India. For these reasons, and also for its hot but excellent Madras curries, the Club was very popular, and had a large number of members on its rolls. Lord Northbrook who was President of the Club, took considerable interest in its fortunes, and made it a point to attend regularly the meetings of its Executive Committee, of which I was an ex-officio member as the Honorary Librarian. I thus used to meet Lord Northbrook pretty frequently, and I came to conceive high regard and esteem

for that ex-Viceroy. The Northbrook Indian Club flourished while its founder was alive, but after his death it languished and ceased to exist as a separate institution, it having been merged in the Northbrook Indian Society, which may still be in existence for ought (sic) I know.

Before concluding my references to Lord Northbrook, I may record an incident which is justly regarded as a memorable scoop in journalism. After Lord Mayo's tragic death in the Andamans, Lord Northbrook was offered the Viceroyalty; but the matter was kept, for obvious reasons, a profound secret. Lord Northbrook did not feel justified, however, in accepting the Prime Minister's offer until he had made sure that his health would stand the strain of the high and exalted office, in the tropical climate of India. Accordingly, he paid a visit to his family doctor, who was the most famous physician at that time in London. The same evening Lord Northbrook was dining at a place where the Editor of the *Times* was also a guest. In the course of conversation Lord Northbrook mentioned to him that he was rather concerned about his health, and had consulted that very day his family physician who had assured him, after careful examination, that there was nothing particularly wrong with his health. Early next morning the whole of Britain was agreeably surprised to find published in the *Times* that Lord Northbrook had been offered and had also accepted the office of the Viceroyalty of India. This news could not be contradicted either by Government or by Lord Northbrook, as it happened to be true, for after receiving his physician's assurance about his health Lord Northbrook had sent in, on the previous evening before he went to dine with his host, his acceptance of the Prime Minister's offer.

Lord Northbrook's successor was Lord Lytton, the First Earl, of whom I have recollections which are not quite hazy. The first important incident of his administration which I may recall here is the memorable Darbar, held by him at Delhi on the 1st of January, 1877, at which Queen Victoria was proclaimed Empress of India. I have special reasons to remember it. As my father was one of the invitees to the Darbar at which he was awarded a *Sanad* in appreciation of his services to the cause of social reform, in the matter of the abolition of the system of exorbitant dowries in marriage. I distinctly remember that I was most anxious to accompany my father to Delhi and tried to create great trouble by my obstreperousness, from day to day, for weeks preceding the Darbar. The nearer the date of my father's departure for Delhi approached the more obstinacy and refractoriness I displayed, but it was all of no avail, as my father was advised by doctors that in the last week of December and the first week of January Delhi was likely to be so intensely cold that it might seriously affect my health. And so, although I cried myself hoarse on the date my father left for Delhi and refused to take any food-in the language of today I was an incipient *satyagrahi*- I was left at home with the consolation of receiving on my father's return from there, sweets and toys galore. The only privilege that the *Sanad*, which my father

received, carried with it was that he was to be exempt for life from certain provisions of the Arms Act. It bears the signature of Sir Richard Temple, the then Lieutenant-Governor of Bengal, Bihar and Orissa.

Two other things which I recall distinctly were the Second Afghan War, in which Lord Lytton and his Finance Member, Sir John Strachey, had taken a very prominent part, and the enactment of what is still popularly called the Vernacular Press Act. The Afghan War, of 1878-79 created great indignation in politically minded circles in the country at that time, and there continued to be great dissatisfaction in the public mind until the war was brought to a close during the regime of Lord Lytton's successor, Lord Ripon. But much more than the Afghan War, what evoked considerable feeling of acerbity against Lord Lytton's Government was the enactment of the Vernacular Press Act. It was the first attempt, after India had passed from the administrative control of the East India Company to that of the Crown, in 1858, to place the Indian languages Press in the country under official restraint, by means of legislation, which authorised the Executive to take action with the authority of a Court. That Act caused profound dissatisfaction throughout the length and the breadth of the country. The agitation against it spread abroad from India to Britain and the cause of the Indo-Vernacular Press (as it was then called) was taken up in right earnest by none other than William Ewart Gladstone, Ex-Prime Minister, and Leader of Her Majesty's Opposition at the time There were some memorable debates on the subject in the House of Commons, led by Gladstone himself. The translations of those speeches, which appeared in the Indian press, roused great enthusiasm for the repeal of that Act, which was ultimately carried out by Lord Lytton's successor, Lord Ripon. For these reasons the administration of Lord Lytton was regarded by Indian public as a disastrous failure. He retired in 1880, to the great relief of the educated classes in the county.

The administration of Lord Ripon had been the most popular with the people of India since the country passed under the Crown in 1858. He redressed almost all the grievances which the country had laboured under during the regime of his predecessor, Lord Lytton. He brought the war in Afghanistan to a speedy close, repealed the Vernacular Press Act of 1878, introduced Local Self-Government, both in urban and rural areas, and above all sought to remove the racial distinction which existed till then in the Code of Criminal Procedure in the matter of trial of European British subjects by Indian Magistrates, except by Indian Presidency Magistrates in Calcutta, Madras and Bombay. It is this last act of his which made Lord Ripon immensely popular with the people, but it also evoked tremendous racial excitement, both amongst the British and the Indian people. Its repercussions spread like wild fire throughout the length and breadth of India and its echoes reverberated in British Parliament as well in the course of more than one debate on the subject. As it was a legal matter, my father and his friends were deeply interested in it, and used to talk

frequently about it during the whole period of the agitation that the measure had evoked. My father used to read out to me the news and comments in various news-papers which he subscribed, and used to explain them to me as to why the Government's attitude had raised such a tremendous storm from the British public in the country.

The Government Bill had originated as the result of a note submitted by Mr. Bihari Lal Gupta, of the Indian Civil Service (afterwards Mr. Justice Gupta, of the Calcutta High Court), who was at that time a Presidency Magistrate in Calcutta, and was as such, qualified to try European British subjects, and was doing so every day. He had, however, reached a stage in service when he was likely to be promoted as District and Sessions Judge in which higher capacity he would have become disqualified to try European British subjects under the law as it then stood. He had, accordingly, submitted a note on the subject, in January 1882, and the then Lieutenant-Governor, Sir Ashley Eden, had supported the change in the law in a note submitted to the Government of India, in which it was stated as follows: "Sir Ashley Eden is of opinion that the time had now arrived when all Indian members of the Civil Service should be relieved of such restrictions on their power as are imposed on them by the Code of Criminal Procedure, or when, at least, they have attained the position of District Magistrate or Sessions Judge, should have entrusted them with full powers of all classes whether European or Indian within their jurisdiction".

The Government of India, after consulting the other Local Governments and administrations, and on receipt of their replies, introduced a Bill to amend the Code of Criminal Procedure, and in the course of the statement of objects and reasons there appeared the following declaration: "The Government of India has decided to settle the question of jurisdiction of European British subjects in such a way as to remove from the Code, at once and completely, every judicial disqualification which is based merely on race distinction. With this object in view the present Bill had been prepared". The then Law member, Sir C.P Ilbert moved for leave to introduce the above Bill. The leave was accordingly given, and the Bill introduced in February 1883. But Lord Ripon's government quailed before the storm raised by the British in India and their supporters in Britain, and they could not carry the measure through. Accordingly, a compromise was arranged which in a sense made matters worse. But it is useless to recall these facts now since all that legislation in the Code of Criminal Procedure had been repealed some years back even before the British transferred power to India. In spite of the failure of Lord Ripon's government in this particular matter there was an immense upheaval of Indian feeling at the time of his departure from the country. This upsurge was on so tremendous a scale that Sir Auckland Colvin was believed to be the writer of a special article in the Allahabad *Pioneer* under the caption "If It be True What Does it Mean". The pith of the article was that Lord Ripon was leaving India much more conscious politically than he had

found it to be when he had assumed the reign of administration. The writer's estimate was correct, as but one year later (in 1885), the first session of the Indian National Congress was held at Bombay, in the last week of that year.

14. British Royalty I Have Met

When I was born in November, 1871, the good Queen Victoria was on the throne of the British Empire. When I reached London early in February, 1890, to qualify myself as a barrister, the good Queen-then Queen Empress-was still on the throne, and had celebrated three years before her Diamond Jubilee, in 1897. At that time not only in Britain and her colonies, but even in India, her reign was regarded as something akin to "Ramrajya". After I had been called to the Bar, in the last week of January, 1893, and was on the point of returning to India, it was impressed upon me by a high British official at the India Office (who was said to be Aide-de-Camp of the Secretary of State for India) that etiquette demanded that I should present myself at the Queen's Levee-dressed in Indian costume. The said officer recalled that all my Indian friends, from Behar, had done so before returning home and I knew that they had attended the Queen's Levee accoutred in Indian presentation costume.

But the fact of the matter was that for about two years before, both Mr. Hasan Imam and I had fallen into the company of nationalist students, and had developed a new mentality in such matters. Mr. Hasan Imam and I had no objection to appear before the Queen at her Levee; but the India Office insistence in our appearing in Indian apparel, which we did not possess, was rather galling to us. True, we did not possess the British Court dress either, nor were in a position to get it made, because it was a costly affair; but all that apart it was the insistence on the part of the India Office that we could not be allowed to appear in any other clothes but Indian that rubbed our back on the wrong side, and so both of us returned to India-Mr. Hasan Imam in 1892 and I in 1893-wihout being privileged to pay our respects (as we say in this country) to good Queen Victoria.

Her son, the then Prince of Wales, who ascended the throne on his mother's death, in 1901, as King Edward VII, had paid a visit to India in 1875 when I was but four years old. My father had attended the Darbar held on that occasion on the famous *maidan* (open space) at Patna, but I had naturally no lot or part in it. When, therefore, it was announced that a great Darbar would be held at Delhi to proclaim the accession of King Edward VII, I thought I would have a chance of looking at him, if not meeting him. But the King fell ill soon after, and had to undergo a serious operation before his complete recovery. Doctors then advised him not to come out to India, to preside over the Darbar, and that duty consequently devolved on his Viceroy, Lord Curzon. The King deputed, as his personal representative, his younger brother, the late Duke of Connaught, and it was the Duke and the Duchess who attended the Delhi Darbar, which was held, at Delhi, on the 1st of January 1903. The public seemed to be highly satisfied that in the absence of the King-Emperor himself, his family was to be

represented by his younger brother, and I have no doubt (from what I saw of the function) that much of its success was due to the Duke's presence; although Lord Curzon monopolised the credit of the success of the Darbar to himself. I was an invitee to that Darbar as the editor of the *Hindustan Review*, the English monthly which I had founded at Allahabad in 1900, and at which I am still plodding and drudging, after nearly half a century.

King Edward VII passed away after a short reign of less than ten years, in 1909, and was succeeded by his second son, who ascended the throne as King George V. It fell to his lot, as the only British monarch, to come to India to hold and preside over a Darbar, to proclaim his accession as the Emperor of India. This great function, the greatest of its kind held during British rule in this country, came off on the 11th December, 1911. There is a large literature relating to this historic Darbar chronicled by officials and non-officials. As an elected member of the Imperial Legislative Council, I was amongst the invitees to this Darbar, and with the rest of my collagues was given great prominence, our seats being arranged in the first row (facing the throne) in continuation of that arranged for the Ruling Chiefs and Princes, headed by the present Nizam of Hyderabad, who had succeeded his father but a short time before. I was introduced to the King on the various functions which had been arranged in connection with the Darbar, but it was also arranged that the Members of the Imperial Legislative Council would be introduced to him at His Majesty's Levee in Calcutta by the Viceroy himself, as the President of the Imperial Legislative Council. The King returned to Calcutta in the last week of December, 1911, and in the first week of January, 1912, our introductions were by Lord Hardinge, the then Governor-General and Viceroy, and at the close of the Levee, each of us got a chance of few minutes' talk with King-Emperor George, who was extremely affable and genial.

Before, however, he reached Calcutta from Delhi the King paid a visit to my native town, Arrah, and also to Patna, which had been raised to the dignity of the capital of the Province of Bihar and Orissa; the announcement about which had been made by the King-Emperor himself, at the Delhi Darbar, on the 11th December, along with that of the revocation of the partition of Bengal. King George V stayed, for some time, at my native town, Arrah, on his way from Delhi to Calcutta (to be able to attend Divine Service at the Memorial Church) soon after His Majesty's declaration, at the Delhi Darbar, of the separation of Bihar and Orissa from West Bengal, and their constitution as a full-fledged Provincial Government. As a member of the Imperial Legislative Council I was invited by the District Authorities to be present on this memorable occasion, in the fortunes of my native town, and I shall never forget the scene of genuine and unparalleled enthusiasm amongst the vast mass of humanity that had mustered in force to have a *darshan* of His Majesty, and of His Royal Consort. The crowd, which had been trooping in at Arrah, from the neighbouring villages, since the

dawn, and had assembled round the Memorial Church, was an enormous one, which was estimated to be from about forty to fifty thousand. But there was no disorder until after the service was over. Then, as His Majesty's car slowly drove out of the Church compound, there was an attempt made by the crowd to rush the cordon set up by the police, which induced the latter to offer opposition for maintaining it. The people were naturally anxious to catch a glimpse of their Majesties by going closer to their car. But as the police would not allow it, the situation was becoming acute, and any moment it might have led to *fracas*. The situation was thus a serious one.

No one knew what to do, or what would happen. The Police Officers had their orders to carry out, which was to maintain their cordon at all cost; the people were no less insistent by reason of their intense desire to see the Emperor and the Empress, by pressing as close to their car as they could, in spite of the police and their opposition. Just then, when the situation had become acutely tense, one of the officers accompanying their Majesties came out of the car, and announced to the Senior Police Officer in charge that His Majesty desired the cordon to be removed forthwith, which was no sooner said than done. The crowd set up a hilarious uproar, as they were able to obtain thereby a good view of their Majesties, who graciously stood in the car, which was halted sufficiently long to enable the people to come forward, and have *darshan* of their Sovereign to their hearts content. The crowd then dispersed peacefully shouting at the pitch of their voice "Jai Jai" ("Victory, Victory") to the Emperor and the Empress.

Thus a serious situation was tactfully averted by the gracious act of His Majesty George V, and the incident had left an abiding impression on my mind, as showing to what an enormous extent the exercise of imagination, sympathy, and tact can help in the solution of Indian problems-whether those affecting the illiterate masses, or the educated classes. It may be recalled that King-Emperor George V, on his return home, in 1905, after his visit to India as the Prince of Wales, had (in the course of a speech delivered at the Lord mayor's banquet in the Guildhall) declared that what was wanting in the British administration of India was sympathy with the legitimate aspirations of the people. He himself was evidently the very embodiment of such sympathy; but, being a constitutional monarch, he was naturally unable to influence the policy of the British Government in relation to India; with the result that ever since the dawning of national consciousness amongst the educated and politically-minded classes in the country, there had existed bitter relations between them and Government, until the establishment of India's Independence on 15th August, 1947.

From Arrah, the King and the Queen came to Patna. During their short visit to Patna they passed along, on a steamer, the whole of the river front, covering several miles, and were accorded, by tremendously big crowds standing on the banks of the Ganges, a great ovation and an enthusiastic reception.

From Patna we all followed their Majesties to Calcutta, where also, apart from attending the Levee at the Government House, we met the King on various other occasions, like lunches, dinners, at-homes, and garden parties. Both at Delhi and in Calcutta those of us who were invited to partake of meals with their Majesties (as I was) did so in plates made of gold. This set, for one hundred guests, had been evidently made for the functions connected with the Darbar, as it was believed at that time that to offer Indian Princes food in plates made of something less costly than gold would not be commensurate with their importance, rank, and dignity. There can be no doubt that the Royal banquet, both at Delhi and Calcutta, presented a grand spectacular scene. Long tables, seating a hundred guests, covered with spotless Irish linen, and cutlery with mother-of pearl handles, embellished with cut glass cups and tumblers of the highest workmanship, and laden with masses of flowers arranged skilfully by trained decorators in picturesque vases, all these-and very much more-presented, under floods of electric light, a most gorgeous pageant. And when the dinner began to be served in the Royal plates, the whole table looked ablaze and aglow as one burnished sheet of living gold, and the mouths of the gods themselves must have watered, for once, at it, loaded as it was with the choicest viands, daintiest sweets, and luscious desserts, under which it palpably groaned. I lack courage even to refer to the delicious drinks served from His Majesty's cellars, lest after having gained our Independence, on the basis of the new Government's pro-Prohibition policy any such reference may land me in His Majesty's Jail! It was the same gold service, I believe, that was kept at the Delhi Government House, which under the present His Majesty's instructions, the last British Governor-General, Lord Mountbatten, presented to the first Indian Governor-General, Shri C. Rajagopalachari, to be kept as a present from the King to the people of the Indian Union and as a memento of his father's visit to his once great and glorious Indian Empire.

About ten years later, King George's son-afterwards King Edward VIII-came to India, as the Prince of Wales, in the winter of 1920-21. The visit of the Prince to Patna came about in December, that is, after Lord Sinha had resigned the Governorship of Bihar and Orissa, in the previous month, and Sir Havilland LeMesurier, the then senior Member of the Executive Council, had assumed office automatically as the Acting Governor, under then Government of India Act. Lord Sinha had looked forward to the Prince's visit with very great interest, and had been making preparation for it, ever since he assumed office, in December of the previous year. But he was not destined to receive his Royal Highness, and to accord him a welcome, on behalf of the people of Bihar and Orissa. Sir Havilland Le Mesurier did his best to do the honours on behalf of the province. But the British officer-in-charge (a Civilian) bungled, and there was one serious *contretemps*, the treatment accorded to the two Indian Ministers of the Governor at the time-the late Sir Mohammad Fakhruddin and the late Mr.

Madhusudan Das-which led to an unfortunate controversy, and provoked much ill-will and adverse comment. The following extracts from the Patna daily, from its issue of the 25th December, 1921, brings into relief the main aspects of that unfortunate incident, which was widely regretted.

Wrote that paper:- "His Royal Highness emphasised, while replying to the address of the Bombay Corporation, just after landing at Bombay, that he was here to know India and her aspirations. Judging, however, from the programme drawn up for him at Patna, it can hardly be said that he has gone back with any real idea of Indian aspirations and feelings. We realise that it was but a short visit, but the fact nevertheless is that the Prince came and went without knowing much of life here. Did he meet any leading non-official Indian, with whom he could converse and know things? Indeed, we have been astounded to learn that even the two Indian Ministers were not shown the courtesy of having been invited to the dinner at the Government House, and they were found, to the wonder of all, jostling along with the crowd gathered for the after dinner reception! As a matter of fact, they were among the very last batch to be introduced to the Prince. We are surprised that the Minsters at all went to the reception - their proper course should have been to abstain from attending the reception of the ground that if they were not good enough for invitation to the dinner they had no desire to be tossed about in the crowd gathered for the reception, many of whom were their subordinates".

Continued that journal:-"We do not imply that any deliberate insult was meant to be offered to them, but the fact that no insult was meant reveals the inability to realise what is due to those whose feelings should be respected. While many of the commonest officials sat to dinner, the two Indian Minsters were kept cooling their heels till a late hour of the night, before they had the privilege of being introduced to His Royal Highness. After this treatment accorded to the Ministers, whose status and position are in no way inferior to those of the members of the Executive Council, one need hardly refer to the exclusion from the banquet of members of the Legislative Council. In short, while His Royal Highness was shown pageant and pomp, care was taken to see to it that he might not see either the Indian side of Patna, or meet in interview leading non-official Indians, even a few who could have enabled him to learn what he had come to India to do". As there was obviously much force in the sober and sensible criticism, quoted above, no attempt was made to issue an official communiqué contradicting or explaining away the statement on which the strictures on the official bungling were based. But the Governor-a very sensitive soul-was miserable for days.

But besides the serious official mistake which justified the press criticism, there was another incident, which was the subject matter of conversation for weeks, mainly due to the great amusement it caused to the public. At the evening party given by the Governor to His Royal Highness, a reception was

arranged rather suddenly, at the Government House. Information was sent round rather hastily that all persons invited to the function would be accorded the privilege of being received by the Prince. The place fixed upon was a narrow arcade in the Government House, between the drawing and the dining rooms, where a dais was temporised for the occasion, Sir Havilland asked me to take my stand right opposite His Royal Highness with a view to obviate tactfully any unnecessary overcrowding in the narrow passage, and to assist people in passing in front of the Prince in orderly file. A number of persons had not been able to bring their cards not knowing anything of the reception; and so blank cards were handed round to enable them to put down their names for being called out by the Secretaries in due form. Now it so happened that an Indian landlord and titleholder as a 'Rai Bahadur' (of which he was obviously proud) did not know English, and he wanted someone, who knew that language to put down not only his name but his minor title in full, so that His Royal Highness may know all about him and his position in the social world!

Accordingly, he got hold of a rising young Barrister to write out his name and title on his card. Unfortunately it so happened that this youth was given to perpetrating practical jokes, but in this particular instance he was probably led on to it by the Rai Bahadur himself. When asking him to write out his name and title, the Rai Bahadur insisted that his title, should be written even more prominently than his name and he emphasised it so much that the writer took it into his head at once to indulge in a practical joke, which he would not have possibly thought of otherwise. He wrote out the card and handed it back to the Rai Bahadur, assuring him that he had carried out his instruction of giving even greater prominence to his title than to his name. The Rai Bahadur, who was dressed in his full Darbar costume, expressed his satisfaction and sincerely thanked the young man. Soon after the reception began I saw the Rai Bahadur coming up majestically looking quite self-satisfied as if at peace with the world. He came up to the first Secretary, bowed, and presented his card and looked quite apoplectic. He hastily passed it on to the second officer without making any serious attempt to call out the name. The second officer did the same, and looked even more miserable than the first. All this astounded and unnerved me, as I suspected that there was something wrongly written on the card.

But before I could recover myself the third officer read aloud the name of the card as 'Mr. He-Ass' I very nearly collapsed; but the Rai Bahadur, who was too much excited to notice how he was being introduced to His Royal Highness, bowed very low, made his obeisances in right royal Indian style by almost sprawling himself on the ground, got up, and passed on. But even before the party had broken up this incident had become the subject-matter of conversation in that large gathering. The Governor was naturally very much put out, and enquiries were instituted as to how such a practical joke came to be played. But the Rai Bahadur had gone down to Calcutta immediately after he

had been received, and it was not till some days later that the facts came to light, when it was too late to take any action.

Another interesting incident which, I may recall in connection with the visit to Patna, in 1921, of the Prince of Wales was that which related to the reading of the address to be presented to His Royal Highness. The question was: "Who was to read the address?" According to convention, it should have been the Maharaja who (as the proprietor of perhaps the largest Zamindari in India) was expected to be requested to read the address at the Darbar, at Patna, on the occasion of the Prince's visit. But the Governor had his own idea of doing things. A Medical College-to be named after the Prince of Wales-was going to be established, at Patna, and although the Maharaja had promised a handsome donation of five lakhs of rupees towards its establishment, the Governor thought that it was rather a small amount for a man of his princely fortune and lavish income to pay.

Accordingly, the Governor suggested to the Maharaja that he should donate a sum of another two lakhs to the College. The Maharaja, perhaps not unjustly, felt that he was being subjected to a mild coercion; and he did not, therefore, agree to the Governor's proposal. But being unable to resist His Excellency's demand either at a personal interview, or in correspondence, he conceived the idea of going on a long pilgrimage, and for some time his address was unknown, with the result that his enforced extradition became a topic of conversation throughout the province. As I felt that something should be done, in the circumstances, I remonstrated with the Governor. But I found he was adamant. "What is seven lakhs to him", said the Governor to me "it is what seven rupees is to you or to me". I reasoned with him, but found him inexorable. At last a week remained to the date of the Prince's arrival, and no arrangements had been made till then for the reading of the address.

As I had been mainly responsible (as the President of a Committee for preparing the draft of the address) I felt it was time to bring the matter again to the Governor's notice, which I did. "Supposing", I said to him, "the Maharaja does not come back from his pilgrimage in time, what is to happen in that case". The Governor said: "Whether he is here or not, he shall not read the address\, but a representative man will do it". I asked the Governor. "Yourself", said he immediately! "How am I representative", I asked him, rather taken aback; and he promptly said: "because you are not only the Indian Member of Government, but also the President of the Bihar and Orissa Legislative Council, the most reprehensive body in the province. It is, therefore, that I have made up my mind that you, and no one else, will read the address". I found that his mind was not only made up, but more than made up; and it was no use arguing with him any further. I did not pursue the matter.

At last the long-looked for day arrived. From the earliest dawn vast masses of humanity, also Military troops and the highest officials and non-officials, began

to assemble on the maidan (the large open space) which is a striking feature of Patna. The Darbar *shamiana* had been pitched in the centre of the lawn, and at one end of it there rose a magnificent pavilion, covered with a splendid canopy embroidered in gold and silver. As I had to appear (as a member of the English Bar) in my "old-stale" court dress, which it is a job to don or doff, I rose early, and was at the Darbar betimes, accounted in my court dress-blue, velvet coat with cut steel buttons, knee-breeches with gaiters to match, ruffles, black silk hose, pumps with cut steel buckles, and other paraphernalia, including, of course, the sword dangling at the side. The audience could hardly recognise me in what to them was a ridiculously fantastic costume. Indeed, the court dress is so seldom worn in India that it was looked upon, when I appeared in it, as the grotesque habiliment of a clown.

At the fixed time the Prince arrived by a steamer from across the river, and the Governor escorted him from the entrance to the platform, when the vast audience rose to do him homage. As soon as he sat down I stepped forward and read out the fairly long address, and presented it to the Prince. Having in my younger days, while a student in London in the nineties of the last century, taken a course in elocution from a famous elocutionist, I managed to read the address distinctly and with proper accentuation. There were no loud-speakers available at Patna at that time, but I managed to read the address in a pitch, loud enough to be heard clearly by that vast gathering. After the Prince had replied to it in suitable terms, I was privileged to introduce to him the darbaries, namely, those who were on the Government's Darbar list for presentation on such occasions. The first on that list was, of course, the self-externed Maharaja himself. I turned round to see if he was there, and I was agreeably surprised to find that he had returned from his enforced pilgrimage, and was present to be the first recipient of the honour of being introduced to his Royal Highness. Later, when I enquired about his health he said facetiously that his health was all the better for his having been able to outwit the Governor in his attempt to levy upon him a coercive impost of another two lakhs of rupees for the Medical College, in addition to five lakhs which he had already gladly paid towards its establishment!

Before coming to Patna, the Prince had attended University functions at Allahabad and Benares, at both of which I happened to be present. The upheaval in the political consciousness of the country, during the decade that had elapsed since his father's visit in 1911, had led the Congress to proclaim a *hartal* on the occasion; and there had been a pretty serious riot in Bombay on the day the Prince landed in that city. Lord Reading's Government took prompt action, and there were no riots thereafter. But the sullenness of the vast bulk of the people continued, and manifested itself at almost every place visited by the Prince. It was very acute at Allahabad, and perhaps no less intense at Benares. For want of transport facilities at both these cities my nephew (a Railway Officer,

then posted at Lucknow) had to take me in his saloon from Allahabad to Benares, and I attended the Benares University Convocation (at which a degree *honoris causa* was conferred on the Prince) while staying in the railway saloon. Patna, as a Congress stronghold was even ahead of other places in organising a rigid *hartal*. But here the leading Zamindars came to the Government's rescue, and they deluged the city by bringing over from their villages hundreds of thousands of their tenants to accord a welcome to His Royal Highness.

15. Nearly Nine Years of Vice-Chancellorship (1936-44)

I worked as the honorary Vice-Chancellor of the Patna University during four successive terms extending over a period of nearly nine years, between 1936 and 1944. Soon after the inauguration of the province of Bihar and Orissa, in 1912, the Provincial Government constituted a University Committee, composed of educational experts and non-official representatives of the two provinces, but then one administrative unit of Bihar and Orissa, under the presidentship of Mr. (afterwards Sir) Robert Nathan, a distinguished and capable member of the Indian Civil Service. The Committee met many times and ultimately submitted to Government a practically unanimous report suggesting the establishment of a University at Patna, unitary in character so far as the local colleges were concerned, but with powers of affiliation in regard to colleges situated within the province, but outside Patna. The report was not accepted by the Government of India who adopted a scheme of their own which was embodied in a Bill introduced into the Imperial legislative Council by the then Education member, the Hon'ble Sir Sankaran Nair.

The Government's scheme was so hopelessly reactionary that although it was praised with faint damns by some of the Bihar and Orissa representatives in the Imperial Legislative Council, it aroused considerable opposition not only in the Province concerned but also in other provinces, as it was regarded as a very reactionary measure which, if adopted, would cripple higher education. Accordingly, a very strong protest was organised against it by the then leading public men of the province. I was one of the chief organizers of the movement, and I was fully supported by several prominent persons, the most notable amongst whom was Dr. Rajendra Prasad. Our opposition to the Bill, as introduced, was effective in the sense that the first Bill was withdrawn, and a revised Bill was introduced which, with many amendments in favour of popular demands, was ultimately placed on the statute book and became the Patna University Act of 1917. This Act came immediately into force, and the Patna University became an accomplished fact towards the close of the same year. I was nominated by the Provincial Government, of which Sir Edward Gait was the Head at that time, as a Fellow or Senator for a period of five years.

It was declared in that Act that the University would have a Vice-Chancellor but nothing was mentioned in it as to whether that office would be honorary or stipendiary. It was also laid down that the first term of office of the Vice-Chancellor would be for a period of three years, but that the subsequent terms (to which there was to be no limit) would not extent to more than two years each. Under these provisions the first two Vice-Chancellors were appointed by the Chancellor (who was the head of the provincial administration) and

they were both British Members of the Indian Educational Service. The first Vice-Chancellor, Mr. J. G. Jennings, had long been known to me as the Principal of the Muir Central College at Allahabad. He was a scholar of Oxford, highly cultured and a gentleman in the best sense of that-term. He had been brought to this province as the Director of Public Instruction and was promoted be the first Vice-Chancellor of the Patna University. His successor, Mr. V. H. Jackson, was taken from the Science side, he being a member of the staff of the Patna College at the time of his appointment. Both of them served for only one term each.

Meanwhile a strong feeling was growing in the province that it was not desirable to continue the system of having stipendiary Vice-Chancellors, and that on the analogy followed till then in the Universities of Calcutta, Madras and Bombay, the office should be held in an honorary capacity. A resolution was moved on the subject during the term of my office as President of the Bihar and Orissa legislative Council and was carried in spite of Government Opposition to it. Lord Sinha, who was the Governor of the province at the time, consulted my about it, and I advised that his Government should accept that resolution. Accordingly, it was announced that the next Vice-Chancellor, in succession to Mr. Jackson, would hold the post in an honorary capacity and the choice of the Government, to which I was a party, fell on Mr. (afterwards Sir) Syed Sultan Ahmed, who was at the time the Government Advocate in the Patna High Court. The appointment was welcomed with satisfaction throughout Bihar and Orissa, and Mr. Sultan Ahmed continued to be the honorary Vice-Chancellor of the University for three successive terms, extending over a period of nearly seven years, that is, from 1923 to 1930.

Mr. Sultan Ahmed, though he was a busy lawyer in extensive practice, and had also (as the Government Advocate) to do a good deal of work for the Crown, yet he managed to put in much good work in the interest of the Patna University. His two predecessors, who were members of the Indian Educational Service, had naturally paid attention to developing the administrative side of the University. Mr. Sultan Ahmed introduced many reforms tending to make the University popular, and when he retired at the end of his third term, he certainly left a record of which he could justly be proud. The question arose at the time of his retirement as to who should succeed him. The Minister of Education at the time was the late Sir Mohammed Fakhruddin, a good and sound man of liberal and progressive views, but, unfortunately, the head of the Education Department, namely the Director of Public Instruction, had come to acquire by that time a predominating influence with the head of the Government, i.e., Governor. This highest Educational officer in the province, namely the Director, was undoubtedly a very capable man, and possessed great administrative capacity and experience, but he was narrow-minded in the sense that he could not rise above the trammels of departmentalism. He did not

mind the nomination, term after term, of Mr. Sultan Ahmed since, though a non-official, he was also, as Government Advocate, a high law officer of the Crown, but he opposed tooth and nail the appointment of any non-official Indian public man with the result that the Vice-Chancellorship was ultimately offered to a British Judge of the Patna High Court, who was a member of the Indian Civil Service.

Naturally the announcement of this appointment provoked hostile criticism in the press and amongst the public. I was at that time the Leader of Opposition in the Bihar and Orissa Legislative Council, and letters and telegrams poured in upon me from all sides suggesting that the matter should be agitated in the Provincial Legislature in proper form. Accordingly, during the debates on the budget in the Legislative Assembly I tabled a cut motion to the effect that the amount asked for by Government for their educational work be cut down by rupee one. I thus brought my motion in strict conformity with Parliamentary form and usage. I explained at the outset that no racial controversy was involved in the discussion, the sole question for the consideration of the House being whether in view of Government's declaration that no official of the State would be appointed to the office of the Vice-Chancellor in future, it was right and proper to have appointed a High Court Judge to that office, it being immaterial whether the said official was British or Indian. I pressed this point home and the Education Minister felt that, if pressed to a division, my motion was likely to be declared carried, in spite of the block of the Governor's nominees, comprising both officials and non-officials, who naturally used to vote invariably on the side of Government.

A man of great tact, Sir Mohammad Fakhruddin suggested to me the withdrawal of my motion on the ground that my object had been served, that Government now realised that public opinion was against the nomination of an official Vice-Chancellor and did not favour it, and that on the happening of the next vacancy my suggestion would be kept in view. On these assurance I withdrew the motion, as I felt that I had gained the point I desired to make, but the new Vice-Chancellor found the work of the University, in addition to his own exalted judicial duties, rather exacting and retired from the Vice-Chancellorship before putting in the full term of three years. Living far off from the college area, and apart from college staffs and students, he seldom came into personal contact with them, except at the meeting of the Senate and the Syndicate, and I suspect that he also did not find the work quite congenial. Be that as it may, he submitted his resignation before his term was over. Sir Mohamed Fakhruddin had passed away in 1933, and his successor in the education ministry was a person with no will of his own. The Director of Public Instruction, who was even more influential now than before, still ruled the roost with the result that (brushing aside Sir Mohammed Fakhruddin's assurances made in the course of the debate I had raised on the subject) he got another High Court Judge,

but an Indian, appointment as Vice-Chancellor, The new Vice-Chancellor-Mr. Khwaja Muhammad Noor-was a gentleman who was held in very high esteem throughout the province for his judicial independence and fair-mindedness. He managed the affairs of the University with great tact and sympathy, with the staff and the students, with the result that this administration of three year was quite popular. His term was to expire in the fullness of time in August 1936, and the question of his successor began to agitate the public mind, great pressure being brought to bear upon the Hon'ble Education Minister for the appointment of a genuine non-official public man.

The Education Minster at this time was the late Mr. Syed Abdul Aziz, (1885-1947) who was a member of the English Bar, and who previous to his appointment as Minister had enjoyed an extensive and lucrative practice. He was made of sterner stuff than his predecessor, but he also had to face the opposition of the redoubtable Director of Public Instruction, who had been responsible for the nominations of two High Court Judges in Vice-Chancellors. The Director or Public Instruction had, for some reason or other, special preference for High Court Judges for being appointed Vice-Chancellors of the University. Having succeeded in his effort on the two previous occasions, he tired to play the same game again, and took up cudgels on behalf of another Indian Judge of the High Court, who was a member of the Indian Civil Service, but he met with formidable opposition from Education Minister, Abdul Aziz, for which he was wholly unprepared. He was surprised to find that the latter was not only inexorable against the appointment going once again to a High Court Judge, but that he had a plan of his own, which was that a genuine non-official, wholly unconnected with Government, at the time of his appointment should be installed as Vice-Chancellor. Fully aware of the responsibility in making such a definite proposal to the Governor, the Educational Minster formally submitted my name and wrote in support of his recommendation a very strong note.

The struggle between the Director of Public Instruction and the Education Minster lasted over my appointment as Vice-Chancellor for a fairly long period of some months. The file was tossed about between the Education Department of the Secretariat and the Director's Department, and was submitted to Governor time after time. The then Governor, who was the ex-officio Chancellor of the University, tried to bring about a reconciliation between the departmental head and the Educational Minister, but each of the two was stubborn in support of his own view. Meanwhile, time was pressing and the date for the announcement of the name of the new Vice-Chancellor came nearer and nearer. Having failed to bring about a compromise between the two combatants, the Governor had no other alternative but to make up his mind to accept the recommendation of the one or the other. Whatever his personal views or preference might have been, he chose for the sake of keeping up constitutional appearances the

recommendation of the Education Minster that I should be appointed the next Vice-Chancellor.

This was a great blow to the Director of Education. On two previous occasions, he had carried the day against two of the Education Minsters. He was, therefore, unprepared for the Governor throwing his suggestion over-board. For no less than eighteen long years, he had not only regarded himself, but had come to be looked upon by others also, as the uncrowned king of the educational world and services in the province. He felt his position had seriously changed by the action of the Education Minister as endorsed by the Governor. He, therefore, made up his mind to go on long leave, preparatory to retirement from educational service, having already earned his pension. He did me the honour of sending me a long letter of congratulations and good wishes. On his return from long leave-the longest he could have taken under the rules-he was appointed to a higher post as the first President of the Public Service Commission of the three provinces of Bihar, Orissa, and the Central Provinces and Berar. On the breaking out of the war he resigned and retired without completing the full term of his office of the President of the Commission.

I remained in office as Vice-Chancellor From August 1936 till December 1944, i.e., for nearly eight years and a half. The tenure of my office extended over four terms - the first for the statutary period of three years and the subsequent three of two years or less than two years, as provided in the University Act. Till now it is the longest period of any Vice-Chancellor's tenure of office. I had to work in this capacity with four Governors, who were *ex-officio* Chancellors of the University. The first of these, who was responsible for my appointment, was Sir James Sifton, but he retired even before the first year of my tenure of office had ended. He was succeeded, in March, 1937, by Sir Maurice Hallett, of whom I have written at some length elsewhere in one of these articles. My first term of three years expired in August 1939 when Sir Maurice was the Governor and the first Congress Ministry was in power. As my first term was coming to a close I thought best to tell the Prime Minister and the Education Minister that, if they so desired they should choose my successor, as I was not willing to continue in harness at the then advanced age of sixty-eight. The Education Minister, Dr. Syed Mahmood, did not listen to it, and he insisted that I should continue in office. Finding me unwilling to do so and knowing my friendly relations with the Governor, Sir Maurice Hallett, he sought the intervention of the latter. Accordingly, Sir Maurice put it to me, not only on his own behalf but of his Council of Ministers, that I should take another term and I agreed to do so.

When my second term was about to expire in August 1941, Sir Thomas Stewart was the Governor and *ex-officio* Chancellor of the University. I told him that I had already put in my first term of three years and the second one of two years, and I thought it was time that His Excellency should choose my

successor. He said he had done so already. I said that, provided it was not confidential, I would like to know the name of my successor. He said "O yes, I shall tell you immediately. It is yours and I shall take no refusal. I can think of no one qualified enough to take charge from you". And so the matter was concluded, and I was in for a third term of office which was to expire in August 1943. But there had been a change in the office of the Governor (Chancellor). Sir Thomas Stewart had gone home on four month's leave. But not long after his arrival in London it was announced that His Majesty the King-Emperor had been pleased to allow him to lay down the reins of his office, and he was forthwith succeeded by a member of the Indian Civil Service who had been till then serving in the Madras Presidency, Mr. (afterwards Sir) Thomas Rutherford, to whom also I conveyed, in due course, that as I had served for three terms, covering a period of seven years, it was time he looked out for my successor. Very probably, he did make an effort in that direction, but, evidently, he was not successful. In June 1943, a few weeks before the expiry of my third term, I wrote to him the letter which I am printing below. On receipt of that letter I went to Ranchi to meet him, and I explained to him that while in deference to his wishes I would carry on the work for another term, the duration of it should be curtailed by a few months so that it might end on the last date of the year 1944. This was agreed to, and I continued in office for a fourth term and vacated it on the 31st of December, 1944. Except, perhaps, in the case of so great an educationist as Sir Ashatosh Mukerjee, no other person had the privilege of serving as the honorary Vice-Chancellor of any University in India for four terms, extending over a period of nearly nine years-a long period in all conscience.

Indian Universities are now of two types, unitary and residential and affiliating and examining. The Patna University belonged in my time to the latter type. It was only possible to affiliate colleges scattered throughout the province or areas under its jurisdiction, prescribe courses of studies, examine the candidates and declare the results. Though when the Patna University Bill was enacted in 1917, there was a clause in it which might have enabled the University authorities to develop the institution from a purely examining body into a teaching university, yet, during the time of one of my predecessors, the local Government, under the influence of the Director of Public Instruction to whom I have once referred before, brought in an amending Bill to repeal that particular clause, as they thought it might lead later to an agitation on the part of the Senate of the University for the conversion of the examining university into a teaching institution. I was at that time the Leader of the Opposition in the Legislature of the province, and I offered a most strenuous opposition to the enactment of that amending Bill. But this was in the good old days of dyarchical administration, when Government had at their disposal a fairly large block of Governor's nominees, both official and non-official, to keep the Government on the transferred side, i.e., the Ministry in power. The subject of Education

was in charge of a Minster, and it was he who had brought the amending Bill. Accordingly, with the votes of the Government block of nominees, he was able to carry through the Legislative Council the amending Bill, and thus the last ray of hope for the conversion of the Patna University into a teaching one was gone, if not for ever, at any rate for a very long time. That being so, in the earlier years of my Vice-Chancellorship, my work during my first term of three years, was purely mechanical. It was not part of your duty to discuss any question of educational policy, or to search the trend of educational force even in the country, to say nothing of other countries aboard. We met once or twice a month at the meeting of Syndicate to transact business which was, more or less, of a formal nature, as, for instance, to grant permission to candidates desirous of appearing at certain examinations without having attended lectures in colleges, to prescribe text-books, to appoint examiners and co-examiners, to arrange to hold examinations at various centres throughout the provinces of Bihar and Orissa, and to declare the results. There were various other things that we did, but all of them were equally mechanical; and there was no room for the exercise of any brain power either on my part, or on the part of my esteemed and worthy colleagues, the members of the Syndicate, who were known as Syndics. When, therefore. I entered upon the second term of my Vice-Chancellorship, I thought I should develop an intellectual side of our work to some extent, instead of carrying it on purely mechanical lines. It was not easy to do so as by far the larger number of Syndics had got accustomed to work on the old mechanical lines and the intellectual aspect of the work was absolutely new to their very conception of things. Slowly, but steadily, they had to be indoctrinated into new ideas and new lines of thought before the suggested new policy came to appeal to their mind, but once their outlook was changed they began to appreciate my efforts and gave me their fullest support from time to time, as for instance, the establishment of research scholarships, the foundation of a few fellowships, the development of the literary languages of the province, inviting experts and specialists as lecturers, and some other matters of a similar kind. The progress was slow but steady, and considerable advancement had been made by the time my tenure of office came to an end in December 1944. Meanwhile, the mechanical aspect had been forging ahead. A fairly large number of colleges, not only at the head quarters of several districts but also at the chief towns of some sub-divisions, had been established and affiliated to the University. The number of candidates appearing at different examinations had more than doubled during the period I held office. The work in other departments also had very largely increased, and consequently the staff had to be appreciably increased. In arranging for lecturers to address the annual convocation of the University to which the successful candidates received their diplomas, I tried to dignify and exalt the office of the convocation lecturer by choosing some of the most eminent men in the country who had distinguished themselves in various

branches of knowledge and learning or in public work and administration. Thus the efficient working on the mechanical side and the development side by side of an intellectual element resulted in conducing to the reorganization of the University on new lines, in spite of the stringency contemplated in the amended University Act against any departure from mechanical work.

When the Congress Ministry were in power during the years 1937 to 1939, I had succeeded in inducing the Governor, (Chancellor) His Excellency Sir Maurice Hallett to nominate Dr. Rajendra Prasad as a Fellow of the Patna University. Not long after his nomination, Dr. Rajendra Prasad moved a resolution in a meeting of the Senate to the effect that Government be requested to appoint a representative committee to submit a scheme to Government for the re-organization of Primary, Secondary and higher education in the province. This resolution was unanimously adopted by the Senate and the Congress Ministry gave effect to it immediately by appointing a committee of officials and non-officials, under the presidentship of Professor K. T. Shah of Bombay. Of this committee I was appointed an *ex-officio* member as the Vice-Chancellor of the University. The Committee met frequently over a long period and ultimately submitted its report in the three bulky volumes-the first devoted to the reorganization of primary education, the second to that of secondary education and the third to that of higher education. I took immediate action in connection with the recommendations made by the Committee in the volume dealing with the reorganization of higher education, i.e., the education imparted in the University. I got the recommendations considered by the different bodies, and ultimately a joint meeting of the faculties concerned was held under my presidentship, which turned out to be a pretty stormy meeting which required all my tact and long experience of public life to keep it in order. Later, all these reports were considered by the Syndicate and the Senate and a well-considered scheme was submitted to Government for consideration. But just about that time the war conditions had developed and the Bihar Government were in no mood even to consider the Recommendations of the Shah Committee, as approved by the Senate of the University. They directed, therefore, that the consideration may be postponed until the war conditions were over. My successor in the office of Vice-Chancellor was luckier than I was in this particular respect, for, by the time he assumed office, in January 1945, the war conditions were more favourable to the Allies, and post war planning was in the air. The Government had by that time been able to tap some new sources of income, and so while previously they used to higgle and haggle about a few rupees, they were now launching big schemes of post-war reconstruction in almost all departments of administration and were providing for them not in hundreds or thousands or even lacs of rupees, but crores and crores. It was not surprising, therefore, that in his very first address to the Senate of the University my successor was able to announce on the authority of the Governor-Chancellor, that the

University might look forward before long to the immediate establishment of teaching University at Patna. But India under the British was the India of the bureaucracy, where nothing could be done except under great pressure of public opinion, while the "National Government" that succeeded it (in Bihar) on 15th August 1947, had not yet been able to rise above political party trammels-with the inevitable result that not a step forward was taken till the end of 1948.

16. The Congress Deputation of 1914

In April 1914, I left for London on a deputation organized under the auspices of the Indian National Congress. At its session held at Karachi in December, 1913, under the presidentship of my late lamented friend Nawab Syed Mohammad Bahadur of Madras, the following resolution was moved from the chair and unanimously carried:-"That the All-India Congress Committee be authorized to arrange for a deputation consisting, as far as possible, of representatives from different provinces, to go to England, to represent Indian views on the following subjects:-(1) Indians in South Africa and other Colonies, (2) Press Act, (3) Reform of the India Council, (4) Separation of Judicial and Executive Functions (5) Other important questions on which Congress has expressed opinion. Accordingly, the different Provincial Congress Committees chose their representatives constituting the deputation. Bengal elected Mr. Bhupendra Nath Basu; Bombay, Mr. Samartha (both, afterwards Members of the Secretary of State's Council) and Mr. M.A Jinnah; Madras, Rao Bahadur Narsimha Sharma (afterwards a Member of the Governor-General's Executive Council); and the Punjab, Mr. Lajpat Rai. The choice of Bihar and Orissa Committee fell on me. Some members of the United Provinces (of Agra and Oudh) Committee were desirous that the late Mr. Bishan Narayan Dar (Ex-President of the 1911 session of the National Congress, held in Calcutta) should accept the nomination, but he could not do so owing to ill-health, and so that Committee also elected me as their representative. Thus I had the unique honour of representing the Congress organizations of two "major" provinces.

Though the Congress resolution constituting the deputation referred to four organized in connection with the reform of the Indian Council, a Bill in regard to which the then Secretary of State, Lord Crewe, was expected to introduce in the House of Lords in the spring of 1914. Some of the Indian Members of the Public Service Commission, which had been appointed in the previous year, 1913, were also going to England to complete their work; and Sir Abdur Rahim, who as a Member of that Commission, travelled with us on board the steamer. Mr. Bhupendra Nath Basu and Mr. Lajpat Rai joined us later, and on their arrival the deputation was formally completed under the guidance of Sir William Wedderburn, one of the greatest friends of India amongst our British-fellow subjects. Mr. Bhupendra Nath Basu was chosen as the informal head of the deputation. He was justly regarded pre-eminently suited to lead the deputation not only by reason of his training and temperament to carry on negotiations with the authorities at the India Office, but also because he was believed to be in close touch alike with the officials at the India Office and with some of the leading British statesmen, especially of the Liberal Party. Under Mr. Basu's guidance the deputation prepared a memorandum on the subject, and

submitted it to the Secretary of State for consideration. At an interview between Lord Crewe and the deputation, at the India Office, Sir William Wedderburn introduced us as delegates of the Congress, and Lord Crewe then discussed with us the provisions of his Bill for more than two hours. His attitude towards Indian aspirations, in the matter of the reconstitution of the India Council seemed to be sympathetic, but the occupant of the Great Moghal's chair did not impress me as a strong man. The result was as might have been expected in the circumstances.

The Bill which Lord Crewe introduced, in the House of Lords, was a typically milk-and-water measure, which could satisfy no one, and which thus provoked determined opposition from all sides. When the deputation had left India the provisions of the Bill had not been published, and Indian opinion on it had not been expressed. And so when the provisions became known, the Indian press at once expressed very great dissatisfaction with its main provisions. Not unnaturally, in the circumstances, even the deputation was divided in opinion. Mr. Lajpat Rai and I saw no ground to support it, but as our chief was in its favour, so for the sake of unanimity we agreed to submit a note to Lord Crewe suggesting radical changes, while giving a formal support to the Bill. This change was, however, very strenuously ----------by the Tory party, and strongly deputation --------by the Tory press. In the ----------leading article on the Bill. The ---------- pressed itself as follows:- The House of Lords returns today to the consideration of the Council of India Bill, ------ venture again to express our hope ------ this mischievous measure will be rejected without even receiving the compliment of reference to a Select Committee. In a letter published in these columns yesterday Mr. Edwin Montagu, who until recently was Under-Secretary for India, did not seek to deny that he is the real author of the Bill. It is common knowledge that during the last eighteen months of his sojourn at India Office, Mr. Montagu was zealously preparing a scheme intended to hamstring the Council of India. Never before in our recollection, has even the most ambitious of Under-Secretaries attempted to carry so sweeping and, we may add, so reprehensible a scheme. The motive was obvious, for we discern it immediately when we turn from the protestations of Mr. Montagu to the more ingenious explanations of Lord Crewe. An earlier Under-Secretary for India once declared that his influence was so circumscribed that he always felt like 'a *peri* at the gate of paradise. Mr. Montagu has made a deft attempt to create a little paradise of his own for himself and his successors. The organs of India object to the Bill because they do not want to send dummy members to a truncated Council which will meet only at the pleasure of the Secretary of State. We endorse their reason, but we lay even stronger stress upon others, one of which is that the native principle in any form should never be applied to the Secretary of State's Council. It would be just as reasonable, -------- as improper, to request India to ------ members to the Viceroy's Council. India

Council of India does not sit in India, ---------- forms functions which have no ------- to any system of representative ----------. We are strongly in favour -------- reform of the India Office. ---------- necessity for such a reform ------- constantly urged by the Times. The true remedy is, not to accept Montagu's specious plea (for more expeditious methods of handling the enormous masses of trivial detail which now passes through the India Office), but to cut down the dense undergrowth of unnecessary business and superfluous correspondence between India and England". This fairly long extract from the *Times* clearly indicated the attitude of the Tory party.

Not to be outdone by the *Times*, the *Morning Post*-the then redoubtable organ of the British Tory die-hards-in the course of an editorial made the following comments, which are of value and significance, even at the present day, to Indian nationalists:-"The Bill seeks to inoculate the Government of India with yet another's homeopathic dose of democracy. In 1907 the Government appointed two natives on India to the Council, and this practice has continued since that time. The proposal now is to make this new custom statutory and not only so, but to provide that these Indian members shall be chosen on an elective principle. *Now the Government of India is not a popular or responsible Government, and never can be as long as Britain rules India.* The day that India rules itself, that day Britain retires its last official, and its last centurion from the peninsula. India through weakness, division, and anarchy over a long period of time gradually fell under the dominion of a power which had strength, unity, and purpose. But let us not flatter ourselves that the subjection was involuntary, or that our Empire would continue if India had the power and the unity to shake herself free. It, therefore, follows that if we deliver any part of our power into the hands of an Indian race, or interest, we thereby weaken ourselves and hasten the time of our departure. We should make our ideal not to part with our power."

In due course, the Bill came up for a second reading in the House of Lords. There was a large Indian gathering, in the visitors' gallery, of not only the Congress delegation and the many friends of India, but also of many others who did not take any particular interest in Indian affairs. This was due to the fact that Lord Curzon has expected to lead the opposition to the Bill, on behalf of the Tories, and to make a most vigorous onslaught on its provisions. Lord Curzon, who was in his best form made a typically Tory speech in trying to turn the inside out of Lord Crewe's Bill. The Liberal Governments' spokesmen could give but a feeble support to the measure,-except Viscount Morley who put up a spirited defence-and when the votes were taken the 'noes' had it, as we say in India, though in the technical phraseology of the House of Lords the ayes and noes are designated, as the 'contents' and 'non-contents', or – as an Indian wag present in the visitor's gallery put – 'contents' and 'mal-contents'. Anyway, the

Bill was summarily rejected, and none of us felt sorry for it-except perhaps our leader Mr. Basu.

The comments of not only the Tory but even of the Liberal press over the rejection of the Bill were alike edifying and amusing to us, particularly for the reason that they all joined together in decrying Mr. Montagu, who was believed to be the real originator of the scheme embodied in Lord Crewe's Bill. The (now long since extinct) Pall Mall Gazette was ruthless in dealing with Mr. Montagu of whom it said, "The tone of young Mr. Montagu has been markedly misplaced, elaborately impertinent, and full of the clever immaturity which creates anything but confidence. This has been of considerable disservice both to the Government and himself". That Mr. Montagu did great disservice to himself, by reason of his love for Indian, admits of no doubt. Perhaps the soberest and sanest observation appeared at the time in the *Nation*, which was then regarded as the semi-official organ of the Liberal Government. The following extract form from its editorial, on the subject, is worth recalling even at this distance of time:-"Lord Curzon has had his way with the Indian Council Bill, which was refused a second reading in the Upper House on Tuesday by 96 to 38. It was a party vote. Behind this merely obstructive attitude, there were, however, real grounds of oppositions. They were stated with a curious lack of consistency. Lord Curzon argued that the Bill would ruin the authority of the Council itself, and make the Secretary of State a pure autocrat. It is human nature, we suppose, that no autocrat can tolerate another. On the other hand, Lord Ampthill complained that the Bill would ruin 'the power and prestige of the Viceroy', and that India henceforward would be governed from Whitehall. Both of them agreed in deprecating especially the reduction of the importance of the purely official Anglo-Indian element on the Council. Perhaps the inconsistency is more apparent than real. What both mean at bottom is that in the last resort India ought to be governed, not by a Minister responsible to Parliament but by a bureaucracy whose chief is the Viceroy, and whose organ in London is a Council of veteran officials".

The Indian standpoint on Lord Crewe's Bill found expression in the letter which appeared in the *New Statesman* over the signature of Mr. Lajpat Rai, from which I may quote here the following pertinent observations:-"The Indians did not like the Bill, because it did not go sufficiently far to make their representation adequate and effective. The delegates on the Indian National Congress were prepared to accept it as first instalment of the intended reform, though they never concealed their disappointment at the inadequate representation of independent Indian opinion, and particularly at the proposed method of selection of Indian members. The expressions of adverse opinion in certain Indian newspapers were made use of the Tories in support of their opposition to the Bill, without an honest recognition of the grounds on which these opinions were based. The Indian (as distinguished from the Anglo-Indian) press

disapproved of the Bill because the concessions were so trifling. It failed to recognize that Indian is likely to fare even worse if the reform of the India Office is undertaken by the Tories. There can be no doubt, after the speeches made by the Tory Lords, that they intended to raise the question if, and as soon as, they return to power; and the Indians are not likely to get from them even as much as was conceded by this Bill. The summary rejection of a small measure like this, introduced by a government in power, is bound to make an unfortunate impression in India. I am of the opinion that Indians would do better to agitate for the complete abolition of the Council than for its reform. It is a white elephant maintained at the cost of the Indian tax-payers. It is the strongest fortress of the bureaucracy". The Bill was thus buried "unwept, un-honoured and unsung", and perhaps no one was main the worse for it, for reasons set out is Mr. Lajpat Rai's letter, which expressed the Indian view. After the First World War we had some important changes in the machinery of the government in our country nevertheless the centre of gravity remained where it was. The Secretary of State for Indian still ruled this country practically autocratically and dictated to and dominated over the Government of India. The Secretary of State for India continued to be a power for good or evil in our administration, as he still laid down the lines-from distance of six thousand miles-on which the destinies of India were wielded for better or worse.

17. My Deputy Presidentship Of The Central Assembly (1921)

Until the introduction of the Montagu-Chelmsford Reforms towards the end of 1919, the presidentships of the Central and the Provincial legislatures had been confined, by the Statute, to the heads of the Central and the Provincial Governments. In case of the Imperial Legislative Council it was the Viceroy and the Governor-General, who used to preside over its sessions, while in that of the provincial legislatures the presidential chair used to be occupied by the Governors, or the Lieutenant-Governors, as the case might be. One of the notable and wholesome departures introduced by the Montagu-Chelmsford reforms was in this particular matter. Thereafter, the heads of the administration – central and provincial – ceased to have any connection with the legislatures, as their Presidents. It was laid down in the Government of India Act 1919, that for the first four years the President of the Legislative Assembly would be a nominee of the Governor-General and in the case of the provincial legislatures of the Governors; after which period the Presidents would be chosen, by election, by the members of the various legislative bodies, but that the latter would be allowed to elect from the very beginning their Deputy Presidents. Accordingly, when I was returned to the Legislative Assembly, towards the end of 1919, and went up to Delhi in February, 1920, to attend its first session, the Governor General had exercised his right of nominating the first President, and Mr. (afterwards Sir) Frederick Whyte, an ex-Member of the House of Commons, had already arrived at Delhi; but the Deputy President remained to be elected.

On my arrival at Delhi I stayed with (the late) Sir tej Bahadur Sapru, who was at that time the Law Member of the Government of India. He at once suggested to me that I should offer myself as a candidate for election to the Deputy Presidentship. I was wholly unprepared for it, as I had never given the subject any thought, and I asked him to give me time to talk over matters with some other friends. He was insistent, however, that I should be a candidate, and would take no denial. Many members of the Assembly had not arrived at Delhi till then, but i went round and saw those who were there. I found considerable support amongst various groups, especially from amongst the members from the provinces of Bihar and Orissa, Agra and Oudh, and the Punjab. I learnt that the late Sir Deva Prasad Sarvadhikari was likely to be a candidate from Bengal, and Dr. (afterwards Sir) Hari Singh Gour from the Central Provinces and Berar. Madras and Bombay did not feel disposed to run any candidates against me, and so before first day's sitting of the Assembly, the subject of the election had come to be bruited about, and it was understood the contest would lie among the three of us. Government having then in the Assembly a substantially large block of officials, and non-officials nominated by the Governor-General, each

candidate naturally tried his best to secure Government support. Fortunately for me, Sir William Vincent was the Home Member, and he (as a Bihar Civilian) had been known to me for a long time – not only as a Session Judge before whom I had practised, but lately also as a Member of the just then defunct Imperial Legislative Council in which we had crossed swords with each other as official and non-official representatives. I approached him accordingly with a request that the Government should support me with the votes of their entire nominated block. He said he would speak to Lord Chelmsford and do his best, since he thought that my experience of the working of the Central Legislature was very much greater than that of either of my two rivals, who were both quite new, when I had been a non-official representative since 1910, when I had been first elected as a representative of the Bengal Legislative Council in the Imperial Legislative Council. Next day when the election was to come off, he told me that Lord Chelmsford had agreed with him that I should be supported, and that instructions had accordingly been conveyed to all the members of the nominated block – official and non-official – to support my candidature. This naturally gave me a great advantage over my opponents and as the result of the election showed, I was elected by a overwhelming majority of 67 against Sir Deva Prasad Sarvadhikari's 26 and Sir Hari Singh Gour's 28. My majority was thus absolute, being larger than the combined votes polled by my two adversaries.

The announcement by the President of the result of the voting was greeted with great enthusiasm, and I received later numerous congratulations from friends throughout the country. The most striking message I received was from His Excellency Lord Sinha, the then Governor of Bihar and Orissa, which was as follows:- "As Governor of Bihar and Orissa I feel proud that it should have fallen to the lot of a Bihari to have been elected, by a large and substantial majority, the first Deputy President of the Indian Legislative Assembly, than which there can be no more conclusive testimony alike to your deservedly high position in public life and to your popularity. Please accept my hearty congratulations." My election elicited very favourable comments in the press, of which the following extract from well-known Allahabad daily, the *Leader* may be taken as a sample – "We congratulate Mr. Sinha on his election as the first Deputy President of the Legislative Assembly. He amply deserves this mark of confidence and appreciation on the part of the elected members. To a genial temper and ready wit he combines a political outlook which is essentially non-political. He is one of the best informed of our public men, and is thoroughly fitted for the duties of his new office, with his keen debating powers and large knowledge of public questions." From the day of my election till I resigned the office at the end of the session – on my appointment as a member of the Government I was the recipient of great kindness at the hand of the President.

Instead of calling upon me to take the presidential chair, only on occasions for short intervals, he arranged that I should occupy it daily for a couple of hours from after the luncheon recess till tea time. This enabled me to acquire a knowledge of the work of the President of a Legislature not merely by watching and seeing, but from practical experience by doing it. The session came to a close in the last week of March, when I returned to patna to arrange for my trip to England, where I had resolved to spend the whole summer trying to improve my knowledge of parliamentary procedure and practice by attending the House of Commons regularly. It occurred to me that, before leaving Delhi I might entertain the President at a public dinner to mark not only my sense of appreciation of his great personal kindness to me, but also as a demonstration on behalf of the Assembly itself, which greatly admired him both as a social figure and a sympathetic President who took the keenest interest in training politically minded Indians in Parliamentary work.

Accordingly, I invited all the Members of the Assembly, and also of the Council of State, to meet the President at a banquet, at the famous Delhi Hotel – called Maiden's. It was truly the biggest socio-political function held till then at Delhi, as covers were laid for as many as a hundred and ten legislators. An important and delicate social question which caused some difficulty, was whether His Excellency the Commander-in-Chief (which office was then held by the late Lord Rawlinson) could with propriety be invited to a function of this character, inasmuch as the host was merely a non-official though holding the position of the Deputy President. Sir Tej Bahadur Sapru was extremely doubtful of the propriety or expediency of sending an invitation to the Commander-in-Chief, but I took the view that as a Member of the Assembly he occupied exactly the same position as any other member – official or non-official – and that it would be wrong on my part to exclude him on any ground. Accordingly, I issued an invitation, in the ordinary course, to His Excellency the Commander-in-Chief also. I was agreeably surprised to receive from him a personal letter, saying he would be only too happy to come, but that as he would be going straight from the banquet to the station, to catch his train for Peshawar, he would be accompanied by his Aide-de-Camp, and hoped that I would be able to arrange a seat for the latter also. I immediately replied to him that I would gladly invite his Aide-de-Camp as well. The function passed off without a hitch, and was declared in the papers to have been "brilliant and successful". I proposed the toast of the guest of the evening, and the President's reply was suitable and sympathetic. The party broke up at a late hour of the night. When next I saw Lord Chelmsford, he expressed his great satisfaction at the success of the gathering and added:- "I wish I too, like the Commander-in-Chief, had been a Member of the Assembly, in which case I am sure you would not have overlooked my claims to an invitation."

I reproduce condensed reports of a few of the many speeches delivered on that occasion, which appeared in the newspapers:- "Mr. Sinha, in proposing the toast detailed the reasons which led to the selection of the President from those with parliamentary experience. With the advent of the Montagu-Chelmsford Reforms it was considered desirable that at least for the first four years the President of the Assembly should be one with parliamentary experience, so that at the time when parliamentary institutions were being introduced into this country, the Legislative Assembly might be guided by an impartial expert, who should follow the traditions set by the Speaker in the House of Commons. Mr. Whyte came to India with considerable experience of Parliamentary affairs and within the short time that he had been here he had conducted the business with considerable fairness, impartiality and dignity. (Hear, Hear), He as the Deputy President could not sit in judgement upon the President's work, but the greatest proof of his impartiality was given when the President held up both himself (speaker) and the Hon'ble Mr. Shafi – a government member for disorderly conduct in crossing the floor (Hear, Hear). Those who believed in progress by evolution, would agree that it was not an easy thing for a new comer from Britain to control a big body like the Assembly. But the Hon'ble Mr. Whyte had all along conducted business in commendable way, and that when the history of Indian parliamentary institutions would be written he would occupy a prominent position as the first President who helped India in achieving success on parliamentary lines.

The Hon'ble Mr. Whyte, replying to the toast, said that it was a proud moment when the Secretary of State invited him to undertake the duties of the President of the legislative Assembly and now he felt prouder still. Before coming to India he was a heart-and-soul believer in the Montagu-Chelmsford Reforms, and after coming here, he had ample evidence to justify him in being a heart-and-soul advocate of them. He wished that he were free from those trammels that were unnecessarily associated with the office of the President, and be at liberty to speak in his own way. Mr. Sinha had referred to a certain episode in the recent transaction of business in the Assembly. He had made, what Mr. Sinha considered an uninvdious distinction between himself (Mr. Sinha) and the Hon'ble Mr. Shafi but they were both sinners. (Laughter). They both had to suffer the consequence of their misdeeds. (Prolonged laughter). However, he must say that if he was proud in accepting the presidentship he was prouder still tonight to meet his colleagues in a great enterprise (Hear, Hear). The Indian Legislature was a great parliamentary assembly entitled to hold its head high among the parliamentary assemblies of the world. The British House of Commons had been called the mother of Parliaments, and a proud title it was. If there were Englishmen present, he would tell them as a Scotsman, that they should warn the mother of Parliaments that her other children had better look to their laurels. He had an unexampled opportunity, better than any other

member of the House, to observe the process at work, a process in which he was proud to take part. "I spent some few years", continued Mr. Whyte, "in the House of Commons, and as one who believes in and loves the House of Commons as a great institution, I say in all sincerity and truth that there had been debates in the Legislative Assembly that were well worthy to stand by the side of the best of the debates in the Imperial Parliament. (Hear, hear) That, gentlemen, is the source of my pride as your President, I wish to thank you for giving me an opportunity of expressing my growing ardent belief in the success of parliamentary institutions in India" (applause).

People in Britain believed that self government, with all its mistakes and drawbacks, was in the long run the most sure and most suitable form of government for adult men and women, and he believed that the British race could not refuse to make the same trial of the same principles wherever they were responsible for the happiness of the people. Mr. Whyte's speech was highly appreciated and continuously applauded.

In responding to the toast of the Council of State, the Right Hon'ble Srinivasa Sastri made the following reply:- "Some of us were shrewd enough to detect all through Mr. Pickford's amusing speech a subdued vein of profound reverence for the Council of State, as is due from the young children towards those who are in authority over them by years, and the wisdom that years invariably bring. Several of us no doubt look down with amusement on the doings of the Legislative Assembly from our own gallery, and what do we observe? A number of people rising one after another in quick succession to catch the Speaker's eye, only one of them to be chosen at last and he too, not like so many of us reading words carefully committed to paper beforehand, but wrangling with one another for receiving their daily allowance of a few rupees. I have seen in the Legislative Assembly a very hard time given to the President by the members. If my Hon. Mr. Muddiman – the President of the Council of State – were asked, he would give us, I am sure, a much better character than the Hon. Mr. Whyte has given to the Assembly. The President of the Assembly has shown many of the qualities which we are accustomed to associate with the eminent Speakers of the House of Commons. But the Hon. Mr. Muddiman does not lag one whit behind the Hon. Mr. Whyte. They have both the quality of being blind when they do not wish to see, of being deaf when they do not wish to hear, of smiling when they snub, and finally of seeming to be really pleased when they are only eminently bored. (laughter) I have often pitied the Hon. Mr. Whyte from my exalted seat. Sometimes I have seen him perplexed, but then in spite of allowing his eyes to be caught by any speaker he is extremely careful to let them fall only on that man whom he wishes to call on to address the House. I have always seen Mr. Whyte, although seemingly perfectly indifferent and reposeful, yet watchful of the varying temper of the House. Under such auspices i have no hesitation in joining with Mr. Pickford in hoping that not only the

Council of State, but the Legislative Assembly, will develop slowly but surely into sister institutions, growing side by side, strengthening and fortifying each other, instead of merely bewildering and weakening each other."

18. As President of The Provincial, Legislative Council (1921-2)

Mr. Montagu, who as the Secretary of State for India, was taking a very keen interest in the working of the constitution associated with his name, sent out a despatch, dated 23rd December, 1920, regarding the status and functions of the first Presidents of the legislative Councils, and their relations with those bodies. I extract below a few sentences from it which will throw light on the incidents in my career as President I am now going to record. The Despatch laid down:-"The success of the reforms relationship to be established between the Legislative Council in each province, and the person first selected to hold the post of President. The first President of a council is not to be regarded as an official in the accepted use of the term. He will be an official of a kind hitherto unknown in the Indian hierarchy. I earnestly trust, therefore, that the Governments, the Presidents and the Councillors alike, will realise that from whatever walk of life the President may be chosen, from the moment that he assumes office he ceases to be an official of the Government. It will be the duty of the President so to conduct himself as to favour neither the Government, nor the opponent of the Government, to oppose the desire even of a majority when in his judgment that desire is in conflict with the interest of the Council, as a whole, and to do his best to secure fair treatment by the Council of minorities, or individuals, when they appear to him, to have reason and justice on their side. In short, I look to the time when the President will be regarded as a person to whom, in any case in which a personality of unquestioned impartiality is required for the settlement of any difficulty, all parties will naturally and without hesitation resort. It follows from this conception of the duties and prestige attaching to the office that I regard it as impossible to combine with it any direct employment under the Executive Government. Any attempt to utilise the services of the President, as a part time employee of the Government, will be incompatible with the proper discharge of his obligation to the Council." These extracts indicate the Ideal which Mr. Montagu had set before himself for the holders of the office of the President of the Indian Legislatures, in general, and for those of the Provincial councils, in particular.

Lord Sinha, the then Governor of Bihar and Orissa, was very much exercised in connection with this matter. The province was, then as now, admittedly poor, and could not afford to pay for the services of an additional high officer. The Executive Council of the Governor at that time had as many as three members-two British Civilians and one Indian non-official-besides two Ministers. Lord Sinha was very unwilling, therefore, to appoint any one as President on a high salary; while, obviously it was not practicable to secure the services of any qualified person to work as an Honorary President. Although I had nothing to

do at the time with Lord Sinha's Government he nevertheless sent for me, and held a long consultation about this matter. I told him that I had made up my mind to move a resolution in the Assembly that the strength of the Bihar and Orissa Executive Council be reduced from three to two members, as was the case in all the other major provinces, except in the three presidencies of Bengal, Madras and Bombay. As he welcomed my proposal, I tabled a resolution on the subject which came up for discussion in the Assembly, in due course, and was carried by a large majority, in spite of the opposition offered to it by the then Home Member, Sir William Vincent. The Government announced later that they would accept the resolution, and recommend to the Secretary of State for the proposal being accepted, so that when the senior Civilian Member of the Executive Council would retire, the vacancy caused would not be filled, and the strength of the Council would thus automatically drop to two. This announcement gave great satisfaction to Lord Sinha, who rightly felt that the appointment of two civilians to the Executive Council of the province, when it was not so elsewhere was a slur upon him. Taking the view that he did, he naturally felt happy at the success of my resolution; but nevertheless he continued to be perturbed at the prospect of being called upon to appoint a high-salaried person as the President of the Bihar and Orissa Legislative Council. So he said to me one day, in course of conversation on the subject:-"Montagu is a theorist, and his ideals are very often remote from realities. Here I have got to administer this poor province with the land revenue absolutely inelastic, on account of the Permanent Settlement, and the revenue from excise undependable in view of the non-co-operation agitation, and yet Montagu insists that I should appoint someone as a President on a salary of not less than Rs. 3,000. He does not bother himself where the money is to come from, especially when he has saddled the administration with an Executive Council of three members, each drawing Rs. 5,000 a month. What advice would you give me in the circumstances?" "But it is open to you," I asked, "to go against the letter, or the spirit, of Mr. Montagu's despatch on the subject?" "Most certainly so", he said. "I shall write and explain the matter to Montagu, that, for special reasons, in my province, I cannot appoint a high-salaried President," "Well, in that case,", I said, "I would suggest that you should utilise as the President the senior member of your Executive Council, though this would be going clearly against the principle laid down in Mr. Montagu's despatch." "That is by no means a bad idea", said Lord Sinha. "I shall consult," he continued, "Sir Walter Maude, and hope he will be agreeable to take up the work. True, he can work as much as only for a couple of months at the end of which he will be retiring; but that will take us on to the end of the cold weather session, and I shall await developments like Mr. Micawber, for something to turn up before the beginning of the next session in the autumn."

Accordingly, Lord Sinha talked over matters with his senior Executive Councillor, Sir Walter Maude, whom he either found agreeable to take up the additional work of President, or in some way or other induced him to agree to it. His appointment was accordingly gazetted as the first President of the Bihar and Orissa Legislative Council. I had gone back to Delhi to attend the session of the Central Assembly, and I received there the following letter from Lord Sinha:-"I am glad to tell you that Sir Walter Maude has agreed to take up the work of the President of the Legislative Council. He was not quite agreeable to it, but I reasoned with him, and explained to him, my difficulties. Ultimately he promised to do his best. I fear Montagu will not like the arrangement I have made, in view of the strong opinion expressed by him in his despatch upon the subject. But I had no other alternative, and your suggestion seemed to me to be the best solution of the difficulty. I hope your resolution for reducing the strength of my Executive Council from three to two will be duly carried, and accepted by the Government of India and the Secretary of State". After Sir Walter Maude's retirement in April, 1921 the question for the appointment of his successor came up again before Lord Sinha, but it came up coupled with another important question. The non-official Indian member of the Executive Council at the time had been suffering from months past from tuberculosis of the lungs, and consequently he had not been able to do his work properly for some months. Lord Sinha was very much worried about it, but he was unwilling to force his colleague to go on leave, which he was unwilling to do. Meanwhile, I had made arrangements for going to Europe for about six months, with the primary object of qualifying myself to discharge more efficiently my duties as the Deputy President of the Assembly by watching parliamentary procedure as a daily visitor to the House of Commons. As Lord Sinha had left Patna for a month's stay at Puri, before going to Ranchi, I wrote to him, telling him of my plans, and requested him to send me a letter of introduction to Mr. Montagu to help me in securing an introduction to the Speaker of the House of Commons. In acknowledging my letter he said that he would personally give me the letter of introduction at Puri, and wanted me to go there. I politely protested against his compelling me to go to Puri – a 36 hours' journey from Patna, just to have a letter of introduction handed to me there, which he could easily send by post. But he was inexorable – either he would hand over the letter to me, or not give it to me at all! This seemed to me rather suspicious and it smacked of some mystery.

There being no alternative, however, I went to Puri and stayed right opposite the Government House, with the Indian Superintendent of Police, who happened to be an old friend of mine. On informing the Governor of my arrival, I was asked to lunch, after which he had a long talk with me on the subject. He said – "Now here is the letter of introduction to Montagu, but I do not think you will be able to use it. My Indian colleague, on the reserved side, is seriously

ill, and has been so for months. I have suggested to him to go on leave, but for some reason or other he is unwilling to do so. I feel, however, that it is not right that he should be allowed to continue in office as his work is heavily in arrears, and the administration of his departments is suffering seriously. I have, therefore, made up my mind to cut short my stay here, and go up to Ranchi tomorrow, and bring him round to go on four months' leave at once provided you will agree to enter into the Executive Council in his place and also as Sir Walter Maude's successor as the President of the Legislative Council." I thanked him, but said that I was very doubtful if the Indian Member would listen to his advice to go on leave since although he had been ailing for a long time, and had been advised by his doctors to take rest, he had refused to follow their advice. "What guarantee is there," I asked him, "that he would do so now; and surely, Sir, you do not expect me to cancel my passage and miss my boat next week on the off chance of succeeding your Indian Member of Government." He thought over the matter for a minute, and asked me to give him my address at Patna, Allahabad, and Bombay, the places where I expected to stay *en route* to Bombay. "If I wire to you from Ranchi to one of these places to come up at once to take charge as a Member of the Executive Council, I hope you will comply with my request." I said I would do my best to meet with his wishes, provided I got the information in time.

With this understanding I returned to Patna, from where I left for Bombay, a couple of days later. I halted at Allahabad to meet my many friends there at a farewell dinner which Sir Tej Bahadur Sapru had very kindly arranged at his house. But before the dinner came on, I received a telegram from Lord Sinha, asking me to meet him at Ranchi the next day, without fail. I wired accordingly to Bombay to cancel my passage, and went back Ranchi. On my meeting him, he told me that in accordance with his promise to me, he had left Puri the same day on which I saw him there, and had managed to induce his colleague to go on four months leave which he had done, that he had taken charge from him of the departments under his control, and so he would make over charge to me immediately, which formality he went through then and there, by handing over to me the key of an empty despatch box! "But this is not all" he said, "for, please remember, you have got to work, in addition to your duties as an Executive Councillor, as the President of the Legislative Council, and you may rest assured that as long as I am the Governor you will be the President, for I am satisfied that I cannot get a better man in the Province to do this work." The next issue of the *Gazette* announced my appointment not only as a temporary member of the Governor's Executive Council, but also as the President of the Bihar and Orissa legislative Council. And so I found myself hoist with my own petard! When I suggested to Lord Sinha that one of his Executive Councillors should be the President, it never occurred to me that I myself would be in for it before a few months were over. I remember telling Lord Sinha, however, when

he pressed this matter at Ranchi, that according to the precedent created by him the appointment of Sir Walter Maude, the presidentship should go to the then senior member of the Executive Council Mr. (afterwards Sir) Havilland Lemesurier. But Lord Sinha was equal to the occasion, and told me that when consulting his two civilian colleagues (Messrs. LeMesurier and McPherson)-the latter having succeeded Sir Walter Maude-about my appointment as a temporary member of the Executive Council, he had also discussed with them the question of my appointment as the President, and that they both had agreed that, as the Deputy president of the Assembly, I was the most qualified person to do that work! So it was all fixed up, and in the July session of the Legislative Council, held at Patna, I took my seat not on the Government benches as an Executive Councillor, but in the presidential chair, which I continued to occupy till November, 1922, that is, till after the retirement from service of Sir Havilland LeMesurier, when the strength of the Executive Council was reduced to two only, as recommended in my own resolution on the subject.

It fell to my lot as the President to give the first important ruling on a question of procedure in the Indian legislatures. It is an interesting episode, which I recall in view of the fact that the non-official member, concerned in the matter, was himself duly elected, some years later as the President of the Provincial Legislative Council. The relevant facts will appear from my statement in the Legislative Council made on 10th March, 1922, which I transcribe from the authorised report of the proceedings:-"The President: Before we proceed with the work of the day I desire to make a few observations on an incident, to my mind a very unfortunate incident, which occurred in this Council yesterday. I shall read out the shorthand-writer's transcript of what transpired in this house yesterday, to enable Hon'ble Members to refresh their memory. I may add that in the transcript supplied by the official reporter no changes of any kind whatsoever have been made by me". The facts are thus stated in it: "The Hon'ble the Minister, at the close of the debate on the salary of a physical trainer, made the observation, which is very frequently done by the members of Government, that he would leave the matter in the hands of the Council; on which the Hon'ble Member for Saran said:-"Did I understand that the Hon'ble Minister leaves the matter in the hands of the non official members?" The Hon'ble the Minister replied:-"What I said is that I leave it to the Council." I then said:-"We are dealing now with the budget of a transferred department, which is entirely in the hands of the Council. But when the Hon'ble the Minister leaves it in the hands of the Council, he cannot mean that he can deprive the official members of their indefeasible right to take part in the voting." The Hon'ble Member for Saran said:-"Sometimes the official members vote against their conscience, if they are forced to do so." An official member immediately got up and said:-"I take exception to such a remark." I then said:-"That remark was unwarranted and uncalled for, and should not have been made. Besides, it was absolutely

unparliamentary, and should be with-drawn." I may add that I also read out immediately an authority on unparliamentary expressions, in support of my view. The Hon'ble non-official Member said – "I am not going to withdraw it. That was a remark and not a speech. On which I said:-"This distinction is immaterial. Whether a Member makes an unparliamentary remark in regard to other members in a speech, or interjects it as a casual observation, it is equally unparliamentary. I hope the Hon'ble Member, for the sake of the dignity of the House, will, therefore, withdraw it". To which he replied:-"I would rather withdraw from the Council than withdraw the remark." On which I said:-"The choice is his, and he takes the responsibility for his action." The Hon'ble Member then withdraw from the Council Chamber.

"I now find", I continued, "that the Hon'ble Member who did not withdraw the remark which I, as the President, ruled as unparliamentary, has taken his seat in this House today, without having expressed his regret for his conduct yesterday in defying the authority of the Chair, and without withdrawing the unparliamentary expression to which I, as President objected. That being so, the question now arises, what right is vested in me, as President of this Council, to enforce such discipline as may be necessary for the maintenance of order in this House. The power vested in the President is set forth in rule 17. I shall invite the attention of Hon'ble Members to this rule, which I propose to enforce in this particular case. The rule lays down that:-

(1) The President shall preserve order and have all powers necessary for the purpose of enforcing his decisions on all points of order.
(2) He may direct any member whose conduct is in his opinion grossly disorderly to withdraw immediately from the Council, and any member so ordered to withdraw shall do so forthwith, and shall absent himself during the reminder of the days' meeting. If any member is ordered to withdraw a second time in the same sessions, the President may direct the member to absent himself from the meeting the council for any period not longer than the remainder of the sessions, and the member so directed shall absent himself accordingly.
(3) The President may in the case of grave disorder arising in the Council suspend any sitting for a time to be named by him."

"My construction of the rule", I proceeded to say:-"Is that if any member's conduct in the President's opinion, is grossly disorderly, the President can enforce on that erring member a penalty by asking him to withdraw from the deliberations of the House for the day. The Hon'ble Member yesterday evidently thought that by withdrawing from the Council Chamber himself, he would be imposing upon himself some kind of penalty, or perhaps the penalty which this section contemplates. My ruling is that in that view of the matter he was mistaken, and that the provisions of section 32 have not been so far duly

complied with. As he himself withdrew from the Council Chamber yesterday, he gave no opportunity to me to enforce this particular provision which is, in my opinion, absolutely necessary for the maintenance of discipline in the House. This being the first opportunity on which I can enforce the rule, I now, acting under the powers vested in me under this section, call upon the Hon'ble Member for the sake of the dignity of the House, to either withdraw the remarks he made and to express his regret for having disobeyed the ruling of the chair, or, if he does not wish to do that-and he is quite at liberty to take his own course in this particular matter-to be deprived of his rights for the day. I have no alternative, in the latter case, but to ask him to withdraw from the deliberation of the House for today. This is my ruling and it is not open to discussion. "

The Hon'ble Member-"Then I may take it that I am not even entitled to state the facts upon which this ruling is based, or upon the expression which the Hon'ble President has used, that as I had the choice in the matter I could withdraw. And if that is not so, then may I ask if I am entitled to say anything in my defence?"

The President-"The Hon'ble Member is not entitled, on a point of order, to make a speech, but as he has raised the point again, I shall once more state to the House, which I have done already, that the view taken by the Hon'ble Member for Saran is not correct, because he said:-"I would rather withdraw from the Council than withdraw the remark, "My reply to which was that the choice was his, and he would assume responsibility for his action. Thus it is clear that there was nothing said at the time about any penalty such as the section under consideration contemplates. I now once again give the Hon'ble Member the opportunity today that (if he cares to accept my ruling that he has offended against the dignity of the House) he will, as befitting a gentleman of education and culture, and a member of this legislature, withdraw the unparliamentary remark and express his regret for the defiance of the authority of the Chair or (if he shall not do so) withdraw from the House for the rest of the day. I regret that in case of his refusal to comply with the ruling I have given, I have no other alternative left but to ask the Hon'ble Member to withdraw for the day."

The Hon'ble Member-"I shall withdraw from the House." Personal thanks for the valuable services you rendered as President, and my cordial appreciation of the able manner in which you have filled the office."

On the last date that I took my seat as the President at the session of the Legislative Council, at Ranchi, I was the recipient of highly appreciative remarks, alike from the official and the non-official members of the Council. But I may quote here the observations of Mr. (afterwards Sir) Frederick Whyte the first President of the Indian Legislative Assembly, under whom it had been my privilege to have worked as the first elected Deputy President. In opening the session of the Assembly at Simla, on the 1st September, 1921, he addressed the Central Legislature a follows:-

"Since the Assembly last met one of our colleagues, Mr. Sachchidananda Sinha, has resigned his seat on his appointment to a high office elsewhere. Mr. Sinha is now a Member of the Executive Council of His Excellency the Governor of Bihar and Orissa, and has also been appointed to the position of the President to the Legislative Council of that province. What this Assembly loses Mr. Sinha's native province gains. Few figures in contemporary constitutional and political movements in India are better known than that of Mr. Sachchidananda Sinha. This Assembly has already signified its appreciation of his eminent qualities by electing him, in Delhi, to the post of Deputy President. It would be superfluous on my part to add anything to that signal mark of appreciation of his fellow countrymen, but I think I may now convey to him the congratulations and good wishes of those who were his colleagues in the public work of India in this Chamber." Thus ended my career as the President of the Bihar and Orissa Legislative Council, and an important episode in my public activities.

19. Some Episodes of My Career As A Member Of Government (1921-26)

It is neither possible nor necessary to recall and record any systematic account of my work as a Member of the Bihar and Orissa Government, in my capacity as an Executive Councillor of the Governor of the Province, during the years 1921 to 1926, as it was, for the most part, carried is solemn and secret conclave, and it is not open to me to lift the veil, except to the extent that it obtained publicity in the press, or in the Legislative Council. Even here it is not necessary to offer a *rechauffe* of the proceedings of the latter during the period of more than five years that I served as an Executive Councillor. I shall, therefore, deal with but a few incidents that may even now possess interest for the reader, especially in Bihar and Orissa-since much of the work of in administrator is, in the nature of things, ephemeral. Among the events, which I may recall as matters of interest-during my tenure of office-were the visit of His Royal Highness the Prince of Wales to Patna, in December 1921; the sensational Swaraj Flag incident at Bhagalpur in February 1922; the behaviour of the non-co-operation prisoners and their treatment by the jail authorities (which led to an acrimonious discussion in the press, and resulted in a controversy between Dr. Rajendra Prasad and myself), and, lastly, my dispute with the Income Tax Commissioner, ending with litigation in the High Court at Patna.

The visit of the Prince of Wales to Patna came about in December 1921, that is, after Lord Sinha had resigned the Governorship in the previous month, and Sir Havilland LeMesurier the then senior Member of the Executive Council had assumed office as the Acting Governor under the provisions of the then Government of India Act. Lord Sinha had looked forward to the Prince's visit with very great interest, and had been making preparations, therefore, ever since he assumed office, in December of the previous year, but he was not destined to receive His Royal Highness, and to accord him a welcome, on behalf of the people of Bihar and Orissa, Sir Havilland LeMesurier did his best to do the honours on behalf of the province. But the British Officer-in-charge (a Civilian) bungled, and there was one serious 'contretemps' and the treatment accorded to the two Ministers of the Governor at the time-the late Sir Mohammad Fakhruddin and the late Mr. Madhusudan Das-led to an unfortunate controversy, and provoked much ill-will and adverse comment. The following extracts from the Patna daily the 'Searchlight' from its issue of the 5th December, 1921, brings into relief the main aspects of that unfortunate incident; which was widely regretted; 'His Royal Highness emphasised while replying to the address of the Bombay Corporation just after landing at Bombay that he was here to know India and her aspirations. Judging, however, from the programme drawn up for him at Patna it can hardly be said that he has gone back with

any real idea of Indian aspirations and feelings. We realise that it was but a short visit but the fact nevertheless is that the Prince came and went without knowing much of life here. Did he meet any leading non-official Indian, with whom he could converse and know things? Indeed we have been astounded to learn that even the two Indian Ministers were not shown the courtesy of having been invited to the dinner at the Government House and they were found, to the wonder of all, jostling along with the crowd gathered for the after-dinner reception! As a matter of fact, they were among the very last batch to be introduced to the Prince. We are surprised that the Ministers at all went to the reception-their proper course should have been to abstain from attending the reception on the ground that if they were not good enough for invitation to the dinner they had no desire to be tossed about in the crowd gathered for the reception, many of whom were their subordinates. We do not imply that any deliberate insult was meant to be offered to them but the fact that no insult was meant reveals the inability to realise what is due to those whose feelings should be respected. While many of the commonest officials sat to dinner, the two Indian Ministers were kept cooling their heels till a late hour of the night, before they had the privilege of being introduced to His Royal Highness. After this treatment accorded to the Ministers, whose status and position are in no way inferior to those of the members of the Executive Council, one need hardly refer to the exclusion from the banquet of members of the Legislative Council. In short, while His Royal Highness was shown pageant and pomp, care was taken to see to it that he might not see either the Indian side of Patna, or meet in interview leading non-official Indians, even a few who could have enabled him to learn what he had come to India to do." As there was obviously much force in the criticism no attempt was made to issue an official communique contradicting or explaining away the statement on which the strictures on the official bungling were based.

But besides the serious official mistake which justified the press criticism, there was another incident, which was the subject-matter of conversation for weeks mainly due to the great amusement it caused the public. At the evening party given by the Governor to His Royal Highness, a reception was arranged rather suddenly, at the Government House. Information was sent round that all persons would be accorded the privilege of being received by the Prince. The place fixed upon was a narrow arcade between the drawing and the dining rooms where a dais was temporised for the occasion. Sir Havilland asked me to take my stand right opposite His Royal Highness with a view to obviate tactfully any unnecessary overcrowding in the narrow passage, and to assist people in passing in front of the Prince in orderly file. A number of persons had not been able to bring their cards not knowing anything of the reception; and so blank cards were handed round to enable them to put down their names for being called out by the Secretaries in due form. Now it so happened that an Indian

landlord and a titleholder as a 'Rai Bahadur' (of which he was obviously proud) did not know English, and he wanted someone, who knew it, to put down not only his name but his title in full so that His Royal Highness may know all about him and his position in the official world! Accordingly he got hold of a rising young Barrister to write out his name and title in his card. Unfortunately it so happened that youth was given to perpetrating practical jokes; but in this particular instance he was probably led on to it by the Rai Bahadur himself. When asking him to write out his name and title the Rai Bahadur insisted that his title should he written even more prominently than this name and he emphasised it so much that the writer took it into his head at once to indulge in a practical joke, which he would not have possibly thought of otherwise. Well, he wrote out the card and handed it back to the Rai Bahadur, assuring him that he had carried out his instruction of giving even greater prominence to his title than to his name. The Rai Bahadur who was dressed in his full Darbar costume expressed his satisfaction and since ---------asked the young man. Soon after the citation began I saw the Rai Bahadur standing up majestically looking quite self-satisfied as if at peace with the world. He came up to the first Secretary, bowed and presented his card. The poor man glanced at the card and looked quite apoplectic. He hastily passed it on the second officer without making any serious attempt to call out the name. The second officer did the same and looked even more miserable than the first. All this astounded and unnerved me, as I suspected that there was something wrong with the card. But before I could recover myself the third officer read aloud the name on the card as 'Mr. He-Ass'. I very nearly collapsed; but the Rai Bahadur, who was too much excited to notice how he was being introduced to His Royal Highness bowed very low, made his obeisances in right royal Indian style by almost sprawling himself on the ground and passed on. But even before the party had broken up this incident had become the subject-matter of conversation in that large gathering. The Acting Governor was naturally very much put out, and enquiries were instituted as to how such a practical joke came to be played. But the Rai Bahadur had gone down to Calcutta immediately after he had been received and it was not till some days later that the facts came to light; when it was too late to take any action.

The flag incident at Bhagalpur occurred during the cold weather of 1922 when I was on an official visit to that town in the course of a tour of inspection. An Indian Civilian was occupying the high position of the Commissioner of the Bhagalpur division and his wife was a highly talented and cultured lady, a daughter of a distinguished Indian member of the Civil Service who had occupied not only a high official position but was later Vice-President of the Council of the Secretary of State for India, in London. This lady had been approached by the leading citizens of Bhagalpur to open an exhibition of Indian arts and crafts, which had been organized by them in the interest of industrial

development irrespective of any considerations of political differences. Amongst the organizers of the exhibition, therefore, were members of both the co-operating and non-co-operating political parties. Thus, though the exhibition was entirely non-official, the committee which managed it included a number of local non-co-operators, amongst whom the most prominent was my friend, Mr. Deep Narayan Singh.[72] The Commissioner also took a great interest in its organization and, as mentioned above, his wife had agreed to open it. On the morning of the opening, however, the Commissioner was informed that the decorations of the exhibition pandal included what were then called 'Swaraj flags', and on objection being taken by him to their presence, he was assured by the non-co-operators that they would be removed before that opening ceremony came on. On being informed that the Swaraj flags had been removed, the Commissioner's wife opened the exhibition in the afternoon. I arrived at Bhagalpur the next morning both on an official visit and also to have a look at the exhibition. After the Commissioner had received me at the station and escorted me to the Circuit House, he went home, after making an appointment with me to take me over to the exhibition in the afternoon. He was then informed that the Swaraj flag, at a prominent place, had not been removed but had only been furled. The Commissioner immediately went to the exhibition grounds and insisted on its removal. By that time the extreme section amongst the non-co-operators had persuaded themselves to take up a defiant attitude on the question, and not only refused to yield, but even went the length of threatening to break up the exhibition by using force. The Commissioner thought it best in the circumstances, to come straight to me to seek my advice-though the main responsibility was his as the highest and chief local executive officer of Government. He was afraid that if the police were used to take down the Swaraj flag, the non-co-operators also would use force and there was thus a great probability of the occurrence of a riot, at the prospect of which he was naturally very much perturbed.

I sent for Mr. Deep Narayan Singh and talked over the matter with him. He agreed with me that it was unfortunate that after the assurance had been given to the Commissioner that all the Swaraj flags would be removed, before the Commissioner's wife would open the exhibition, one of the flags had been left furled through oversight. But he said that the view of the extreme section of the non-co-operation was that its being taken down now by the police would

[72] Singh, Deep Narayan (1875-1935); belonged to a zamindar Marwari family of Bhagalpur; educated at Bhagalpur, Calcutta and Cambridge; Bar-at-law, 1898; President, Bengal Provincial Conference, 1901 and 1907; took part in the Swadeshi movement, 1905; Secretary, BPCC, 1909; member AICC; elected to the Bengal Legislative Council in 1910; attended the Delhi Durbar of 1911; toured extensively around the world; participated in the Non Cooperation Movement 1920-21 and mobilized specially students and Marwaris; Chairman, Bhagalpur Municipality, 1922; President, BPCC, 1928; took active part in the Civil Disobedience Movement, 1930-31 and was imprisoned; elected to the Central Legislative Assembly in 1934.

be regarded by them as a great insult to the Congress party, and in view of it, he asked me to suggest, if I could use some 'via media', which would solve the difficulty while at the same time pacifying both the official and the non-official parties, especially the non-co-operators amongst the latter. I asked Mr. Deep Narayan Singh whether it was not the position of the non-co-operators that they wanted to achieve Dominion Status for India as a member of the British Commonwealth, and he said in reply that it was so. I then put it to him whether it would not serve their purpose equally well if the Swaraj flag was left intact (that is, furled as it was) and the Union Jack was put up unfurled and flown higher than the Swaraj flag. He said that he thought that would be a reasonable compromise in the circumstances. I discussed the matter then with the Commissioner, and he entirely agreed with me that that would be the best solution, as clearly indicating the then ideal of Swaraj within the British Commonwealth.

Accordingly, I requested Mr. Deep Narayan Singh to talk over matters with his friends of the non-co-operation party, and after doing so he gave me the assurance that they had no objection to the Union Jack being put up and flown higher than the Swaraj flag, the latter to be kept furled all the time. This having been done, I visited the exhibition with the Commissioner in the afternoon. The non-officials of all the parties in the town, seemed to be completely satisfied with this solution of the difficulty, but not the local British officials. As the Commissioner was an Indian it was regarded by them as a weakness, on his part, to have at all yielded to the non-co-operators; and as he happened to be a Bengali by race, they imputed to him an inherent sympathy with the non-cooperation movement, for which there was not the least justification. They, however, though numerically at a handful in the town, set up such a violent agitation that the jail exhibits were withdrawn some days later by the Superintendent of the Central Jail at Bhagalpur. On my return to Patna, I explained the position to the Acting Governor Sir Havilland LeMesurier, who agreed with me that the action taken, in the circumstances, was tactful and expedient.

But the British officials at Bhagalpur, inspired a persistent agitation in the Anglo-Indian press which kept up a crusade against the Commissioner for weeks afterwards. As a result of it, a question was asked on the subject in the House of Commons and on the 28th March, 1922, Lord Winterton, the then Under-Secretary of State for India, gave a long reply recounting, in his own way, the facts mentioned above. After doing so he added :- The Governor-in-Council of Bihar and Orissa, on being informed, decided that no further action was possible, though they would have preferred a more severe treatment of the impertinence of non-co-operators. (Hear, hear). The Commissioner was warned to be more vigilant in future, and to take care not to afford sympathy to a movement which might be turned against the Government. The incident was

much resented by the local European community and the gaol exhibits were withdrawn. The Government of India have informed the local Government that they share the regret that some drastic action was not taken, and have indicated clearly their decision that in no circumstances should a Swaraj flag be flown in conjunction with the Union Jack, even if placed below it. My noble friend, the Secretary of State, realises the importance of the prevention of such incidents in future. (Hear, hear)". In making these observations Earl Winterton clearly tried to placate the handful of the British officials at Bhagalpur, and to soothe their ruffled feelings, rather than take a dispassionate view of a difficult situation. They had felt aggrieved with the Governor-in-Council, who as stated by Lord Winterton, had decided that no further action was possible," but the over-sensitiveness of British officialdom at Bhagalpur, in particular, and in the province, in general, carried the matter further, with the result that the Government of India had to intervene, and the poor Commissioner was sacrificed at the altar of British official clamour. Thus this episode, which I have briefly recounted, points a moral to politically-minded Indians, even if it does not adorn a tale.

Perhaps the most difficult problem I had to deal with, as a member of Government, was the treatment of the political prisoners, that is, all those who were mainly convicted for committing offences in furtherance of the objects of the non-co-operation movement, inaugurated by the Congress in 1920. As a member of Government, having in his portfolio the administration of jails in the province, I was responsible for the exercise of proper control over the prisoners, consistently with their humane treatment, particularly so in the case of the political prisoners. When I assumed office in May, 1921, the Inspector-General of Prisons under me was a British Officer of the Indian Medical Service, but in 1922 he went on leave, and his successor (the late) Sir Hormusji Banatwala-was a distinguished but retired member of the same service, who had acquired great distinction as an administrator of jails in other provinces. He came, however, with a reputation for being hostile to political prisoners, in particular, and this naturally induced some prejudice in public mind against him. The result was as could be expected, in the circumstances. The leaders of the non-co-operation movement, at the time, were not willing to accept, even in the case of political prisoners, the inevitable jail limitations attaching to them, with the result that the vast bulk of such prisoners were always determined to defy the jail authorities, and to be creating trouble frequently all which made the carrying on of everyday routine, consistently with the maintenance of jail discipline, a task of some difficulty for the jailors, and the higher jail authorities. The matter having been brought to his notice Sir Hormusji directed that in one particular jail some of the young men, who had persistently defied the authority of the jail, should be put to grinding corn and some other similar work of hard labour.

A debate was raised on this question in the Provincial Legislative Council, in the course of which the defenders of the conduct of the political prisoners used extravagant languages, which provoked some of the speakers on the official benches to indulge in strong language. My Civilian colleague, the Hon'ble Mr. McPherson (later Sir Hugh), Member in charge of police administration-who had joined in the debate was charged with having said something which was resented by the non-co-operators, who were clamouring for the head of Sir Hormusji who had called them 'liars'. Thus tempers were frayed on both sides, and feelings roused to a high pitch. As the member in charge of jails, I summed up the position on behalf of Government, as tactfully as I could do, in the circumstances, maintaining that the treatment meted out to the non-co-operation prisoners had been, on the whole very much more lenient than they deserved by their conduct as prisoners. The non-official motion was ------ thereon led to an acrimonious discussion in the press, which led to a controversy- the only one so far in an otherwise unclouded friendship of forty years-between Dr. Rajendra Prasad and myself. His communication, dated the 5th September, 1922, appeared in the local press. He took strong exception to the terms which had been applied to the vast bulk of the political prisoners by Sir Hormusji Banatwala, and stated his view for the information of the authorities, that some of the young men, who are being put to grain grinding, and other kinds of labour, are not only educated and cultured men, but also possessed of property, if possession of property were any criterion for judging a man's worth. It would be noticed that Dr. Rajendra Prasad himself made his statement in defence of only 'some of the young men', and not with reference to all those who had been put to hard labour, by the orders of the Inspector-General. His statement may be accepted as absolutely correct, but when a large number of political prisoners are to be punished for defiance of the jail rules and regulations, it is very likely that 'some' of them would be those who would be not only 'educated', and 'cultured,' but also possessed of property. But the mistake, which seems to me to have vitiated his criticism, was the assumption that an executive officer, like an Inspector-General of Prisons, is to hold a judicial trial in jail, in the case of each political prisoner, and to adjudicate his offence separately from that of the others, when all of them, or a large number of them, had been persistently defiant of jail authority.

Dr. Rajendra Prasad further stated that the fact is that a systematic attempt is being made to break and crush the high spirit of our youth in the name of jail discipline. It is a repetition on a large scale, and all over the country, of what happened in Bengal some years ago". If so, evidently almost all the Inspectors-General of Prisons, were tarred with the same brush, and the securing of an angelic type of officers could be but the dream of the ideal state. Having expressed these views, he went on to make a direct attack not only on the Indian Inspector-General of Prisons, but also on me as the Government

Member responsible for the administration of the jails. To avoid doing any injustice to his statement or argument, I quote in full the passage dealing with his criticisms of the Inspector-General and myself:-"The worst of it is that all this is happening when an Indian member-a publicist, of no mean eminence-is supposed to be in charge of the department of jails, and another Indian is the actual administrator of it. If one hundred and fifty years of British rule has shown anything, beyond all controversy and doubt, it is its capacity to use Indians as its instruments. I say so not in anger, but in sorrow. I can see no other explanation of the hypnotism which makes the best amongst us forget and forswear our past. How else can you explain the Hon'ble Mr. Sinha who fought so valiantly before the Leetham Committee for the transfer of jails to popular control on the ground of ill treatment of political prisoners, sanctioning or condoning action which he condemned in no uncertain voice when free from trammels of office-and that when he must know that the real object was not jail discipline but to smother by sheer physical force the fire of love and service of the country, which is his motherland no less than of the sufferers!'

Naturally, Dr. Rajendra Prasad's criticisms attracted wide attention at the time. But having said my say in the Council, it was not open to me then, as a Member of Government, to enter into a controversy with him, either in the press or on the platform, and so I was unable to reply to the criticisms made against me personally in Dr. Rajendra Prasad's communication, quoted above. An occasion occurred, however, about a year later, when a non-official elected member of the Council raised a debate, on the same subject, in the Legislative Council. Without making any special reference to Dr. Rajendra Prasad's criticisms of my alleged misdemeanour, I then tried to make the position as clear as I could: but the summary of my speech sent out by an incompetent press agency was wrong and defective in conveying what I had said, and so it brought on my devoted head many further criticisms of the same type as had been indulged in by Dr. Rajendra Prasad. On the appearance, however, of the text of my speech in the report of the proceedings of the Legislative Council, one of my critics, the 'Tribune' of Lahore, (then edited by that foremost Indian Journalist, Mr. Kali Nath Roy) had the fairness to reconsider its verdict, and I make no apology for reproducing its comments under heading 'Flogging in Jail', from its issue of October 9th, 1923. Wrote that paper-It will be remembered that while commenting upon the recent debate in the Bihar Legislative Council, on a resolution recommending that whipping should be abolished as a punishment in jails, and in particular the speech of the Hon. Mr. Sinha, on the occasion, we wrote:-'Mr. Sinha said that he would abolish whipping if he could, but there was one class of prisoners who could not be otherwise kept in a state of discipline. We are not sure that the resources of civilization are not equal to devising a suitable substitute for whipping, which would be free from the particular charge or charges brought against it, but assuming that whipping is

necessary for this class of prisoners, why retain it, for all prisoners generally? Why retain it, in particular, for political prisoners, who obviously do not belong to the class that Mr. Sinha had in view. To this question one finds no reply in Mr. Sinha's speech as reported by the press agency.'

'We have now before us-continued the 'Tribune'-the official report of the debate, and it must be said in fairness to Mr. Sinha that his speech did contain a reply to the question which we specifically put to him, and as to which, as we said the press summary of it was entirely silent. He said:-'We have managed so far to avoid whipping, but if we have done so, I want the Council to understand most distinctly that it has not been due to the good conduct of the vast bulk of the non co-operation prisoners; on the contrary, having visited all the central and district jails, some of them more than once, I can safely assert that the conduct of most no-co-operation prisoners, I am sorry to say, has been extremely trying to the authorities. It has very frequently been contumacious, recalcitrant, defiant, recusant and grossly disorderly. I am not speaking of a few men of honour and sincerity, but of the vast bulk of non-co-operation prisoners, and I speak with authority, as I have seen their records. I have known them personally and I have talked to them. I can assure the House that it has put a great strain upon me, sometimes, to refuse the order of whipping.

The position taken up by Mr. Sinha is that but for a punishment like whipping being held over the heads of no-co-operation prisoners of this class 'in terrorem', it will not be possible to maintain discipline in jails, considering the conduct of the bulk of them, which he describes in the passage quoted. This does not, indeed, meet our general objection to whipping as a dehumanising and brutalising punishment, but it must be confessed that it does partially weaken our further plea for a differentiation between the ordinary and political prisoners. If the conduct of many of the non-co-operation prisoners was, indeed, such as Mr. Sinha describe it, we have no hesitation in saying that instead of serving their country they have brought a disgrace upon its good name, and the good name of the great movement with which they happen to be associated. It is not through the sufferings of such men that Mahatma Gandhi expected the speedy fulfilment of his dream of Swaraj. As regards our second objection, that the Government too readily granted permission to jail officials to inflict the punishment of whipping, Mr. Sinha seems to meet it by an appeal to his own experience. We quite believe that he has successfully resisted the measure brought to bear upon by jail officials, but does not this very fact show the danger of having such weapon in your armoury? After ---------the pressure which one man may be -------to withstand may prove too much for ------ and a weaker man in his place." ------- reason of conventions and traditions a Member of Government, on the -------- side, stood then on a wholly different footing from that of a Minister who, under the Government of India Act, was specifically declared to be a non-official, in spite of his drawing the

same salary and exercising in his departments the same powers and authority as an Executive Councillor, his colleague on the reserved side and as such the Minister had much greater freedom. It was, therefore, not possible for Mr. Sinha to reply to the criticisms either of Dr. Rajendra Prasad or of the 'Tribune.' But it is now open to me to state-after an interval of a quarter of a century-the fact that during the five years and more that I held charge of the administration of jails not one single prisoner-political or non-political-was ever flogged, though the conduct of not only of some, but of many of the former class, in particular, was highly provocative- because of their studied recusancy and determined recalcitrance-and Inspector-General of Jails and Superintendents of Central Jails, pressed upon me not once, twice, or three times, but time after time that they would be unable to carry on the administration unless they were authorised to inflict corporal punishment on some of the political prisoners whose conduct merited in their view such condign punishment. I may mention, therefore, the views expressed by me in the course of a note prepared by me for the text of a discussion on the subject. I stated in it that while in the case of a prisoner, who was contumacious and recalcitrant, I would not shrink from sanctioning his being whipped, provided there was no alternative to such a course, and if it was found essential in the interest of maintaining' discipline in jails. I felt ------ two important considerations should ------ be kept in view. These we --------- I had managed to carry on jail administration without whipping any prisoner, and that there was a strong feeling in the country, which I myself fully shared, which was against, whipping prisoners of any kind-political or non-political-on the reasonable ground that the infliction of such punishment was dehumanising and, in fact, brutalising, not so much to the delinquent as to the directing authorities. For these reasons, I felt that I should not agree to have any prisoner flogged, but I suggested that, if necessary, he might be prosecuted under the Prisons Act, for specific offences.

In regard to this method of dealing with the matter, I went on to say that it had been pointed out to me that no prosecution for jail offences could lie, unless the Superintendent had exhausted all the penalties he could inflict including, of course, that of whipping. This was not, however, the view of the law which I could accept as correct. I held on the contrary that the section, allowing prosecution for prison offences nowhere laid down that the Superintendent must have first resorted to whipping, and exhausted his rightly exercising it, before he could place a prisoner on trial for a prison offence. All that the section laid down was that before placing the prisoner on trial, the Superintendent should be of opinion that no punishment which he had the power to award, would be adequate to meet the situation, and not that every punishment, including that of whipping, which he had the power to inflict, should have actually been awarded and carried into effect, before the prisoner's prosecution, for prison offences ---------- be launched. In the circumstances,

----- that there was and could be no ------ any prisoner's prosecution under the Prisons Act. His Excellency Sir Henry Wheeler, the then Governor, having accepted my view of the law as correct, agreed that instead of flogging being inflicted, an offending political prisoner should be prosecuted, if that was found essential to the administration of jail discipline. In the result, it happened that no prisoner, during my term of office for more than five years, was subjected to being flogged.

As this is the first opportunity I have got of stating the correct fact, I have done so at some length not only in relation to my own conduct as Jails Member, but also because the subject matter of the controversy is one of great public interest even now when national Governments have been installed at the Centre and in the provinces. In fact, the establishment of national Governments in a country is no guarantee against riots, civil disobedience or passive resistance. When the Congress Ministry was in power for the first time in the Western province, serious riots broke out in Bombay, which if not put down by means of physical force immediately, would have assumed dangerous proportions. Fortunately the then Home Member-though pledged as a Congressman to the theory of Gandhian non-violence-had the good sense to direct that fire be opened on the rioters. Wherever it might be absolutely necessary, with the result that the riot was nipped in the bud and peace restored much sooner than would have been otherwise. It is only when persons have worked the machinery of Government in a responsible position, that they learn that ruling human beings successfully - that is, humanely but firmly-is the most difficult art to acquire in carrying on state affairs.

20. Rest and Work (1926 To 1929)

My term of office, as a Member of the Bihar and Orissa Government, was to expire in June, 1926. Owing to my first appointment having been temporary, for some months, I had a longer spell of office than those appointed permanently as Executive Councillors, whose term was limited by convention to five years. Not only was the work very exacting, but it was not quite congenial to one like myself (who had practised at the Bar for many years, and taken a prominent part in the public affairs of the country), because of its having been sedentary. I felt very much relieved, therefore, when on the 1st of April, 1926, it was announced that His Majesty the King-Emperor had been pleased to appoint, as my successor, the late, Maharaja of-. The announcement was bitterly commented upon, in the press, and both Lord Reading (the then Viceroy) and Sir Henry Wheeler, the Governor, were violently assailed for having been responsible for making the recommendation to the Secretary of State. But I felt glad at the prospect of my return to public life and to the great profession to which I belonged. As usual I went to Ranchi, the summer headquarters of the Government, and stayed there till I came back to Patna, in June, after making over charge of my office to my successor.

A few days before my retirement I received a communication from the Chief Secretary, containing a request from my successor that he should be allowed to take over the office from me one or two days earlier than the date on which my term expired, as the earlier date was the most auspicious, according to the astrologers, on which he could assume office. The Chief Secretary at the time, who had worked with me as Secretary to Government in the Finance Department, took an extreme financial view that the Maharaja's request could not be accepted by His Excellency the Governor, as it would entail a loss to me of so many rupees, annas and pies! The Governor's view was that, quite apart from the prospective loss to me, it would not be right to sanction a course which might be regarded as a precedent for some Indian members of Government thereafter to fix the date of the assumption of their office on astrological grounds! When, however, the communication reached me, I readily expressed my willingness to comply with my successor's request, both on grounds of personal convenience to him, and because I felt that I had had a longer term than many others, and it would not be right, in any case, to disoblige my successor.

In view of the acceptance of my aristocratic successor's proposal, he was informed that he could come up to Ranchi to assume office on the date he desired. Some days later, his European Manager came to see me and to convey the Maharaja's thanks for my having complied with his wishes; but he added, after a good deal of humming and hawing, that his master would be glad if I

could see my way to accept from him the amount I would lose by retiring a couple of days earlier. I laughed, and replied that apart from the fact that it was not open to me to do so (since as a Member of Government I could not accept payment from a private individual) I could not convert an act of courtesy into one of profit. I mentioned this matter to the Governor when I met him next time, and like myself he too was very much amused at the message. Accordingly, on the Maharaja's arrival at Ranchi I made over charge of my office to him a couple of days earlier, and rejoined the High Court Bar, the day after my arrival, at Patna, on the 18th June, 1926.

Before leaving Ranchi, I was the recipient of two great honours. The first was a dinner given to me by the Secretaries to the Government, headed by the Chief Secretary. This I have ever justly regarded as a signal honour to a non-official Indian Member of Government, since it showed the very happy relations which had subsisted between me and the many British and Indian officers-most of them being members of the Indian Civil Service-who had served during my tenure of office as Secretaries to the Government in the various departments. I call it a signal honour, because during my long experience of Indian public life I have never heard of Secretaries making any demonstration to testify their regard and esteem for any retiring Indian member of Government, and I naturally, therefore, cherish very pleasant recollections of that evening, and of the speeches made on that occasion in proposing and supporting the toast of my health. The other was the formal and conventional, but none the less high honour, namely, the banquet at the Government House at which His Excellency the governor (Sir Henry Wheeler) presided and proposed my toast, expressing his appreciation of my services as a colleague in the Government of the province for over four years, during which time we had worked together. As there were no reporters at that banquet, the speeches made by His Excellency did not see the light of day. But I tried to reproduce the substance of his speech at Patna (at the public dinner, at which I was entertained by the leading representatives of the province) in replying to the toast of my health proposed by the late Sir Jwala Prasad, who presided at that function. I make no apology for transcribing it here to indicate the line which I adopted in the interest of my country even when working as an official member of the Government of my province. I spoke as follows:-

> "Last month, His Excellency the Governor did me the great honour to rise from his sick bed, for the first time after"

I received one evening, while in London, a message on the telephone from the then High Commissioner for India, Sir Atul Chatterjee, that I should be prepared to start at a moment's notice for Geneva to attend there the International Press Conference, which had been convened under the auspices of the League of Nations. He said that a formal invitation had been sent out to me; but as the Conference was to come off during the next week, he thought it best to inform

me before, the invitation reached me, so that I might not be inconvenienced. The next day I received an invitation from the then Secretary-General of the Leugue of Nations, inviting me to attend the Conference to represent the press of India which, I was given to understand, would otherwise go unrepresented. The letter of invitation stated that "the Conference is a meeting of individual experts, and not of delegates of pres groups, and as such the invitation should be considered as personal, not involving the obligation of preliminary consultation with any press organizations in India". In the circumstances, I accepted the invitation, and attended the session, at Geneva, from the date of its opening to that of its closing (August, 24th to August, 29th). Not being the representative of any particular section or group of the press of India, but, so to say, of that of the whole country, I thought I would best discharge my duty by holding, as it were, a watching brief on behalf of the press of India, so that its interest might not suffer by letting judgment go by default.

The gathering was, indeed, a memorable one. It was the first Independent Press Conference of the whole world, and thus differed from those previously held. No less than thirty-eight countries were represented by sixty-three delegates, twenty assessors and thirty-five experts, representing not only States which are members and non-members of the League, but also of all the Continents, and all the different categories of press interests-newspaper proprietors, cable companies, press bureaux and journalists associations, besides representatives of the International Cable Association and of the great British, French and German newspaper distributing houses. In spite of the diversity of speech, in a gathering of such a heterogeneous character, the work was carried on with remarkable smoothness by almost all the speakers using with wonderful facility either English or French-the only two languages officially recognized by the League of Nations. Every speech delivered in one of these two languages, was immediately rendered into the other by a highly competent staff of interpreters. The debates even on most controversial subjects were carried on in a friendly spirit, without betraying any acerbity of feeling, and the proceedings, as a whole, were of great significance as showing how in spite of obvious difficulties, business can be smoothly carried on by keeping the main object in view. It was a gathering of great interest to me, as an Indian, used to the usual methods of conducting business in our country, which I need not characterize.

A very large number of resolutions were keenly debated upon and ultimately adopted. Their full texts would cover several columns of a newspaper, but all of them can be divided under three main heads:- communication, circulation, and journalistic facilities; or in other words, the collection, the transmission and the circulation of news. The first link in the chain was the resolution of the Conference to extend the freedom of the journalist for the fulfilment of his primary duties. The various resolutions under this head, however, naturally took note of the conditions in Europe, and in countries where the European

methods of journalism prevailed, and they had thus but little reference to those obtaining in India. Similarly, a large number of resolutions were passed mainly affecting the question of communications with a view to effect improvement in news transmission. The third and the last subject dealt with, but which in a sense, was the most important, was that of protecting news, both before and after publication, against unfair appropriation. This question was more keenly and more warmly debated than any other before the Conference, and the late Lord Burnham (who very successfully presided over the Conference) was fully justified in saying that "it represents a real triumph for journalistic statesmanship that unanimous agreement was reached on a subject of such vital importance". Put shortly, the resolution laid down that the Conference did not wish to establish any monopoly in news, or prejudicial control of the sources of public information, but that it wanted to protect against unfair competition those great journalistic enterprises which by their initiative and organization brought the world's news at great cost of time and skilled labour to the use of the reading public. This resolution was of consider able interest to newspaper proprietors and press organizations in India also, since (so far back as 1900) a Bill was introduced by Lord Curzon's Government into the then Imperial Legislative Council to be called (if enacted) the Telegraphic Press Messages Act, which tried to give proprietary right in news legally obtained by anyone for a period of thirty-six hours from the time of the first publication. In view, however, of the great opposition offered to the Bill by a large section of the Indian press, at that time, it was withdrawn by the Government, though they had the support, for enacting the measure, of some of the leading Anglo-Indian newspapers. It would thus be seen that the resolution of the Press Conference felt it open to the Government of each country to bring in legislation, which may be considered expedient, if and when such legislation becomes necessary.

On my return to India, I issued a lengthy statement on the discussions and resolutions at the conference, and circulated it to newspaper organizations, and also amongst the proprietors and editors of the leading Anglo-Indian and Indian journals.

In 1928, while I was still carrying out Dr. Price's injunction of rest and recreation, I received a telegram from my old and esteemed friend, the late Mr. Keshab Chandra Roy of the Associated Press-popularly known as "K.C."-asking from me a statement on the report of the working of the reforms in the provinces during the years 1923 to 1926, with special reference to the report of the Governor-in Council of Bihar and Orissa which, he added, had just then been issued at Simla. After having failed to obtain a copy of it, I wired back to say that the report was not to be had, at Patna, either for love or money, and that he should, therefore, send me a copy of it-at any rate, of the portion dealing with Bihar and Orissa-if he wanted me to make a statement on it. In due course I got from him a copy of the Bihar and Orissa portion of the report. On

a perusal of it, I found it to be quite unworthy of a state document, issued with the imprimatur by the Governor-in-Council of an important province. As a Member an earlier Government of Bihar and Orissa, I had been a party to Bihar and Orissa, I had been a party to the publication of a report on the working of the Reforms in the first triennium (1920-1923), during the regimes of Lord Sinha and Sir Henry Wheeler; and the report of the subsequent period did, as a matter of fact, cover by far the greater part of the time when I myself was in office. I was thoroughly familiar, therefore, with the facts and circumstances dealt with in the second report, which had been issued during the regime of Sir Henry Wheeler's successor.

The first report, to which I was a party, was a fair statement and impartial survey of the working of the Montagu-Chelmsford Reforms during the first three years, but the latter was unfortunately vitiated, in my opinion, not only by wrong conclusions, but by a presentation of incorrect data, which was obviously reprehensible. It was also marred by wholly unjustifiable attacks on the Ministers, and on the numerous non-official bodies administering the local-self governing institutions. On a careful consideration of the report the conclusion seemed to be irresistible that this State document had evidently been prepared with an ulterior object, namely, to prejudice the case for further reforms, which was then under investigation. As the report was lengthy and abounded in controversial statements, I felt that a suitable reply to it, howsoever condensed, was bound to be fairly long, and the preparation of it would entail an amount of study of and research into official literature, which I was not quite sure I would be justified in undertaking in the then state of my health. But Mr. K.C. Roy was, however, insistent in his demand, and so I sat down to prepare a temperate and well-reasoned rejoinder to the official document. I was amply rewarded in the end, for, although the matter in controversy had reference to the province of Bihar and Orissa, I had dealt with the subject in such a broad way that the reasoning in it could *pari passu* apply to the whole of British India. For this reason the publication of my statement attracted considerable notice in the press, throughout the length and the breadth of the country. It was a subject of very long editorials in all the leading Indian papers, throughout the country, and a collection of them would make a small volume.

Some time after the publication of the report by the Central Government, and my criticism thereon, the Swaraj party in the Bihar and Orissa Legislative Council raised a debate upon the official document by way of a cut motion on the budget introduced by the Government. The official spokesmen took up the curious plea that no such report had ever been issued! They relied too much, I fear, on the fact that the report had not been issued by the Provincial Government to the press; but they did not know evidently that, though they might not have published their report in the province, the Government of India, to whom the report had been submitted, had issued the report to the press, and it was

thus that Mr. K.C. Roy had been able to obtain the copy of it which he had sent on to me. The motion for the reduction of the Government demand was withdrawn after there had been a prolonged discussion of the official document, in the course of which speaker after speaker had quoted from my rejoinder to the utter discomfiture of the official benches in the Legislative Council. Amongst the numerous letters I received expressing appreciation of my statement, I may quote but three. The first was from the late Mr. Golaplal Ghose, the then editor of the *Amrit Bazar Patrika*. He wrote:-"your note is extremely instructive, informing and forceful, and you should certainly be congratulated on the excellence of your work". Mr. C.Y. Chintamani, editor of the *Leader*, wrote:-"I can most sincerely congratulate you on the ability, the moderation, and the convincing force of the statement. I have read it alike with the absorbing interest and intense admiration, and it will be the greatest pleasure to me to state this publicly in the *Leader*." Lastly, the late Sir Muhammad Fakhruddin, Education Minister of Bihar and Orissa wrote to me as follows:-"it is really creditable to you to have taken the trouble to study the facts and produce a statement like the one you have done. I agree in the main line of your arguments. It is satisfactory that in meeting the points in the (Government) Report, you have referred to the annual reports of the Government themselves-which had made your statement conclusive and convincing."

In December, 1928, I was in Calcutta in connection with a session of the Indian National Congress, at which Pandit Motilal Nehru was going to preside for the second time. Though I had ceased to attend the Congress (since it had embarked on non-co-operation and civil disobedience, in 1920) I accepted Pandit Motilal's very kind invitation, coming as it did from one of my oldest and best friends, to attend the Congress as a visitor. While I was there I received a verbal communication from a gentleman, then residing at Delhi, that the Reception Committee of the All-India Kayastha Conference had unanimously elected me the President of the forthcoming session of the Conference, and had commissioned him to persuade me to accept their offer. I was rather surprised at the communication, for I had not attended any session of the Kayastha Conference for nearly thirty years, and had taken little interest in its affairs. The reason was that when, shortly after my return from England after having been called to the Bar, I attended a session of the Kayastha Conference (at Benares) and another some years later, (at Lucknow), I found that I myself formed the most important subject of discussion amongst the reactionaries, who formed at that time a large majority of the members of the Conference. Both at Benares and at Lucknow (the session at the latter place was held in 1900), in place of resolutions on and discussion of questions of social reform affecting the well-being of the community, practically all the time was devoted to the discussion whether I should or should not be allowed to participate in the proceedings of the Conference, on account of my having lost my status as

a member of the community for having crossed the seas; and though neither at Benares nor at Lucknow could the reactionaries screw up courage to pass any resolution on the subject, the very fact that the matter was discussed at such great length at both these sessions, and so much valuable time lost on my account, naturally tried my patience, and I vowed never to attend a session of the Kayastha Conference. So I clearly explained my position to the emissary of the Reception Committee of the Delhi session. But he said that things had very much changed for the better in the nearly three decades that had elapsed since the Lucknow session, that the younger generation had now advanced materially on right and sound lines and were keenly interested in social reform and progress, and that they too had vowed that they would not hold the session in Delhi, at all, unless I agreed to preside over it. I said to him that I would write to the office-bearers of the Reception Committee, and after learning from them the true inwardness of the situation, I would make up my mind definitely one way or the other. Accordingly, on my return to Patna, I had a long correspondence with the Secretary, and I was, at last, satisfied that there was a genuine desire not only on the part of the members of the Reception Committee, but on that of the leaders of the community, as a whole, that I should accept the presidentship of the proposed session at Delhi. The Secretary pointed out to me that the Reception Committee were bound to elect only that nominee of the various local and provincial committees, who had secured the largest number of votes, and that my election had been unanimous. So assured, I made up my mind to preside over the session.

Having always held the view that social progress and economic uplift are even more essential for the well-being of humanity then merely political advancement, I thought it would be a suitable opportunity for me to express my views from a public platform, and I accordingly prepared a speech which, though nominally addressed to the Conference of a particular community, was really intended for the country as a whole. The Delhi session met in the Easter holidays of 1929, and I was very much gratified at the reception accorded by the public and the press of the whole country to my long presidential address. They endorsed, in the main, the contentions I had raised in the views I had expressed, the lines I had suggested and the social and economic reforms I had advocated. Of the numerous private letters, received by me from friends all over the country, I shall quote only form two, which I value most. The first is from that veteran social reformer and one of the most thoughtful Indian publicists the late Mr. K. Natarajan, the editor (for more than fifty years) of the *Indian Social Reformer*. He wrote:-"I have just finished reading your address and write a line to congratulate you on its lucidity and poise. Of the points you have selected for special mention-dowry, inter-caste marriages and women's education-the last is the key to the first two, and to most others of our social

reforms, for when women have education and can speak for themselves, the problem will automatically cease to exist."

The other letter was from a highly cultured and scholarly gentleman, Pandit Manohar Lal Zutshi of Lucknow, a retired educational officer in the United Provinces. He wrote:-"Just a line to congratulate you on your address. It is so outspoken and yet so restrained. I relished your allusion to the Lucknow session of nearly thirty years back. I was here at the time, and recall the turmoil, the whisperings and the bickering of the reactionaries, who were in a fairly large majority at that time, and the plight of the poor President of the Conference. And all this to keep out a certain Mr. Sinha, who refused to be kept out! You did well, very well, in emphasising the fact that the spirit of caste should not be encouraged, but that it should be killed, I am glad to find that your right hand has not yet lost its cunning, and that as the old guard you can yet teach a thing or two when an occasion does arise". The comments in the press were highly flattering, and considering that not only I had discussed many controversial questions but expressed myself frankly on them, the amount of support I received in the press was a source of genuine satisfaction to me, showing the tremendous progress which the country had made in social matters, which in India, with its hoary traditions and old civilization, petrified for ages in the rigidity of caste system, is given a greater indication of the rising status of the people than merely political progress.

21. As The Leader of The Opposition (1930 to 1936)

By the beginning of 1930, my health had sufficiently improved, and I felt that instead of taking part in public affairs spasmodically (as I had been doing till then since my retirement from office in June, 1926) I should think of being elected to the legislature-Central or Provincial. Accordingly, I consulted my doctors, who advised me not to think of going to Delhi or Simla, as the work in the Central Legislature was bound to prove very exacting, and would probably place upon my health a strain, which it would not be able to bear. But they thought I might safely get myself elected to the Provincial Legislature. Just about that time the Congress party had announced, for a second time, their decision to non-co-operate with the Governement and to boycott the legislatures. In accordance with this decision, the Swarajist members of the Legislative Assembly, and of the Provincial Councils, resigned their seats, and by-elections were held, one of which enabled me to get myself elected to the Bihar and Orissa Legislative Council. About six months later, when the general election was held, in August, 1930, I again stood as a candidate and was re-elected to the Legislative Council. Now except for the period when the Swarajists were in the Legislative Council of Bihar and Orissa, the Government had no opposition to face. There was no organized opposition in the Legislative Council during the time when I was myself a Member of Government, and any such effective body disappeared with the resignations offered by the Swarajist members, in accordance with the decision of the Congress, early in 1930, when I was elected at the election.

A strong wish was expressed that I should form a party, as the leader of the opposition, but this was not an easy task, as outside the Swarajist party, which had just then disappeared from the Council, there was no unity of purpose or a spirit of cohesion, to say nothing of discipline, in the ranks of those who had been elected at the by-election, in place of the Swarajist members. As a confirmed constitutionalist, however, I was a firm believer in the value of an effective opposition in a system of parliamentary government. It is perfectly true that a block of officials and non-officials, nominated by the Governor of the province, such as then obtained in our legislatures, is wholly inconsistent with the system of parliamentary government; and is bound to reduce opposition to a farce, since in the matter of voting the official members of the nominated block must vote with the Government, and the non-official members also did invariably the same. That was an obvious handicap to working a system of parliamentary opposition, in our legislatures, in those days.

Nevertheless, I was even then a great believer, for what it might be worth, in the value of an effective opposition in our legislatures, as I regarded its existence as a vital and normal feature of parliamentary government. I believed

and still believe that in spite of a nominated block, such as then existed in our Central and Provincial Legislatures, it was a mistake for those, who could form a more or less effective opposition, to abdicate this parliamentary function, and to embark on a programme on non-co-operation since a parliamentary opposition even if handicapped by a nominated block as an integral part of the Government, must remain in the legislature and try their best to make their criticisms felt there, rather than make a dramatic gesture of abdication, and indulge in peripatetic politics. And so I found myself, soon after my election installed as the leader of the opposition, which positions I occupied till the introduction of the new Reforms, and the disappearance of the nominated block in 1936.

My return to the Legislature, after an absence of more than four years, was welcomed on all sides, and elicited favourable comments in the press of which the following from the then leading progressive daily, the *Leader*,-edited by Shri C.Y. Chintamani-may be taken as a sample:-"The election of Mr. Sachchidananda Sinha to the Bihar Legislative Council should result in a wholesome strengthening of the unofficial side, and in a deal of public good. He will easily be the first man in the Council. A publicist of over thirty years' experience, an eloquent speaker and persuasive debater, Mr. Sinha was in the old Imperial Legislative Council, as well as in the new Legislative Assembly, was president of the Bihar Legislative Council itself, and a member of Government in the Executive Council of his province, in charge of the most important portfolio of Finance. That he remains a Mr. and has not been included in the ranks of Sirs, is a tribute to his sturdy independence."

For over six year that I worked as a leader of the opposition, I found my work by no means congenial. In a truly parliamentary system of Government the person occupying that position is, generally privately consulted by the head of the executive in almost all important matters even if his wishes and suggestions are not generally acceded to. Such, however, was not the case at the time either in the Central or the Provincial Legislatures. Nevertheless, my friend, Shri C.Y. Chintamani, who was one of the first batches of the Ministers in the United Provinces of Agra and Oudh, had after resigning his office gone back to the Legislature of the province and was the leader of the opposition in it. His opinions carried as little weight as mine, not only with the executive on the Reserved Side (the Governor-in-Council), but even with the Ministers. Besides, I had enough experience of the official element in Bihar and Orissa, not to know their limitations in dealing with non-official representatives. As a Member of Government I had happy and cordial relations with the Civil Service in the province, and had got on with them very well in so far as the daily work of administration was concerned, although on many occasions I had to exercise great strength of will to be able to carry my points against the suggestions made by them, which to me were unacceptable.

But while I had retired from office as a great admirer of the many good points in the British members of the Indian Civil Service, I had also become thoroughly familiar with their limitations. These merits and demerits of the members of the Anglo-Indian bureaucracy had perhaps never been put more accurately than in a letter, written from India, to his mother by the Viscount Bryce, and reproduced in the Rt. Hon'ble H.A.L. Fisher's *Life of James Bryce* (Volume1, Page 259), from which I may profitable extract the following illuminating passages-"The Civil Service Slightly disappoints one. There is a high average ability, but a good deal of uniformity, and a want of striking even of marked, individualism. They are intelligent, very hard working, with apparently a high sense of public duty, and a desire to promote the welfare of the people of India. But they seem rather wanting in imagination and sympathy, less inspired by the extraordinary and unprecedented phenomena of the country than might have been expected, with little intellectual initiative; and too conventionally British in their ways of life and thoughts to rise to the position"[73].

This, in my opinion, was an absolutely correct delineation of the characteristics of the British members of the Indian Civil Service, with the result that in spite of their high standard of ability, intelligence, strong sense of public duty, and a desire to advance the welfare of the people committed to their charge, the vast bulk of them were so hopelessly unimaginative as not to be able to see beyond the tip of their nose. Hence their lack of sympathy with even the reasonable and legitimate aspirations of the cultured and enlightened sections of the politically-minded Indians, their disregard for the opinions of the educated classes and, in the result, the many more or less serious errors that they were constantly falling into, with dire consequences to the smooth and successful working of the administration. In the circumstances, it would have been a wonder if I could have been able to get on with the executive in the legislature, in matters of policy or on measures on which they and I naturally looked at from different angles.

The routine work in a provincial legislature is not such as to attract attention outside the province. Usually confined to local conditions and circumstances the outside public, in a large country like India, does not and cannot follow carefully its proceedings, and public interest is naturally fixed upon the work of the Central Legislature. Nevertheless, during my period of holding the office of the leader of the opposition even some of the local matters, to which I addressed myself, obtained publicity outside Bihar and Orissa. One of these, to which I drew attention, from year to year, by way of a cut motion on the Government's demand for passing the budget, related to the administration of a large and important zamindary in North Bihar, called the Bettiah Raj, which, owing to the mental condition of the Maharani was administered for over forty years

[73] H.A.L. Fisher, James Bryce Vol. I, New York: Macmillan, 1927, p. 259.

by British members of the Indian Civil Service, whose services were lent by Government to the Court of Wards, which was in charge of the estate.

All my efforts, however, were wasted breath, in spite of the fact that my motion was carried, year after year, in spite of the opposition of the Government, supported by their entire nominated block. In noticing one of the debates, the Allahabad *Leader* had the following comments:-"Mr. Sachchidananda Sinha does not lack in wit, vigour or argument in a speech in the Bihar and Orissa Legislative Council, which we print elsewhere, in moving a reduction of Re. 1 in the demand for grant for the 'Wards Estate Department', he attacked the Government on a very vulnerable point. Mr. Sinha called attention to the 'preserve' which the Board of Revenue and the Government of the province had made of the estate of Bettiah for British officials. The estate came under the Court of Wards in the year 1893, and during all these years the Government have not been able to find a single competent Indian who could fill the post of manager of the estate! The list of managers of the estate 'reads like a list of Viceroys of India', Mr. Sinha remarked, all British!" These comments bring into relief the points in issue.

Another important matter of a highly contentious nature which came up for discussion, during the same period, was a so-called Public Safety Bill for Bihar and Orissa. I opposed it on various grounds, the principal amongst which was that the Government of India had already placed on the statute-book similar legislation, which applied, equally with the other provinces, to Bihar and Orissa, and that there was no point in duplicating the same drastic and repressive measure. Here, again, I was defeated, the Government carrying the day with the aid of their nominated official and non-official blocs. But my speeches in opposition to the enactment of the measure, especially on the last motion that the Bill be passed, attracted very great attention, even outside the boundaries of the province. I print the editorial comments of one of the leading Calcutta papers, a perusal of which will make the position between me and the Government clear. Wrote the *Amrit Bazar Patrika* :- "We congratulate Mr. Sachchidananda Sinha, the veteran of many Councils, on his spirited opposition to the Ordinance Bill in the Bihar and Orissa Council, which he describes as 'so beautifully repressive and so well-designed to crush human liberties'. His brilliant speech was interspersed with humour. It, perhaps, culminated when he referred to the story of the French clergyman who having baptised a baby of British parentage thought that all British babies were snubnosed, – in commenting upon the section making muck funeralists punishable with six months' imprisonment and fine. It seemed to Mr. Sinha that it was really making a sport of the Council to ask it to sanction legislation of this character. We make no apology for quoting the concluding lines of Mr. Sinha's speech :-

> "Say what you will, do what you can, thwart it as you may, safeguard your powers, privileges and pelf as you may desire, throw what difficulties you can in the way of our constitutional

progress, take what advantages you can of the yet unfortunate divisions in our ranks by playing one against the other, but remember the day of reckoning foreshadowed in the never-to-be-forgotten lines of your own great poet:-
"Yet Freedom! Yet thy banner, torn but flying,
Streams like the thunderstorm against the wind"

But perhaps the most important debate, in which I was privileged to take part, as the leader of the opposition, was in March, 1933, on the proposals outlined by Sir Samuel Hoare, on behalf of the National Government, in the White Paper issued on the Indian reforms. This document was so reactionary, and found so little acceptance with the politically-minded Indians that its publication created a tremendous sensation throughout the length and breadth of India. The Government of Bihar and Orissa was the first provincial government to allot a day for its discussion in the Legislative Council, and the debate came on but two days after the publication of that document. I had thus very little time to prepare a set speech, but the one I delivered (in moving my amendment to the Government resolution for the consideration of the scheme outlined in the White Paper, which amendment was unanimously adopted by the Council) was very enthusiastically received throughout the country. Of the numerous appreciative comments in the press, and eulogistic letters from friends, I shall quote here only one – from an esteemed and old friend of mine, Mr. J.N. Gupta, who had retired from the Indian Civil Service, after holding the high position of a Member of the Board of Revenue in Bengal, and who like myself had gone back to the Bengal Legislative Council as a non-official elected representative of the people. He wrote to me as follows as soon as the full text of the speech had appeared :- "Let me congratulate you most heartily on your admirable speech in your Council on the White Paper scheme of reforms. You have exposed the impudence of this audacious imposture in a masterly fashion. Alike in diction and terseness of exposition, your speech was a great achievement, and quite worthy of the occasion. We propose to have a discussion in the Bengal Legislative Council also, but I do not know that there is much more to be said now on the subject." My later criticisms of the White Paper were made before the Joint Parliamentary Committee, in London, in 1933, and are chronicled elsewhere.

I shall record one more episode of my career during this period. In August, 1931, I received a letter from the Chief Secretary, worded as follows:- "Acting in accordance with His Excellency's suggestion, the Hon'ble Ministers have consulted you to ascertain whether you would be willing to serve as an associate member to represent Bihar on the proposed Orissa Committee. They have now reported that you have agreed to serve as such and your name is, therefore, being reported to the Government of India. According to the orders of the Government of India, approved by the Secretary of State, the associate members to represent Bihar, Orissa and Madras, will share freely in the discussions, but will take no part in drafting or signing the report. I am personally very glad that you

have undertaken this task." As I had taken considerable interest in the subject of the formation of a separate province composed of the Oriya-speaking tracts, which had been for more than a century divided amongst several British Indian administrations, and had moved a resolution on the subject, in February, 1920, in the old Imperial Legislative Council, which having been accepted by government had initiated official discussion on the subject, I naturally agreed to serve on the proposed Orissa Committee.

The formal announcement was made later, and my nomination was welcomed not only in Bihar, which I was specially chosen to represent, but also in Orissa, although that sub-province was effectively represented by the Raja of Parilakimedi, then an estate in the Madras Presidency. Amongst the various letters, which I received expressing the satisfaction of the Oriyas with my nomination on the Committee, I shall quote the text of a very kind and affectionate letter, which I received from the grand old man of Orissa, the late Mr. Madhusudan Das, who as a Minister had been my colleague in the Government of Bihar and Orissa for more than two years and with whom my relations had been, for a long period, happy and cordial. His letter dated from Cuttack, the 21st September, 1931, was as follows:- "I am glad Government has selected you as one of the members of the Boundary Commission for a separate Province of Orissa, the creation of which has been the dream of my life. I have had opportunities of knowing you as a friend, and also of working with you as a member of the Government. I had ample opportunities of knowing your sterling merit. I congratulate the people of Orissa, including myself, that God in His infinite wisdom has placed you in a position to decide questions which affect the future of a whole people." My work on the Orissa Committee proved very exacting, as it meant considerable travel in outlying parts of no less than five provinces, namely, Bihar, Orissa, Bengal, Madras and the Central provinces, but the work was interesting; and the report of the Committee went a long way in meeting with the wishes of the Oriya-speaking people. It is to me a matter of very great satisfaction that in the solution of this really difficult problem, the amalgamation of various disjointed Oriya-speaking tracts, which had for more than a century, been attached to several separate administrations, it fell to my lot not only to take the lead, but to have lived to see the object aimed at an accomplished fact, on the 1st of April, 1936.

The last important matter, to which I might make reference here, was the receipt of a letter, in October, 1932, from the Governor of Bihar and Orissa, saying that he had been asked by His Excellency the Viceroy to ascertain from me whether I would be willing to serve as a Member to the third session of the Round Table Conference, which was to meet in London, in November, of that year. I was requested to send an immediate reply. As I happened to be in Kashmir, at the time, I received the letter, at Srinagar, after several days, redirected from Patna. As emphasis was laid in it on the urgency of a reply, I took no time

in wiring to His Excellency the Governor my inability to accept nomination as a Member of the Conference. Two reasons, each in itself important, influenced my decision, namely the state of my health, and the nature of the work to be done by me. In regard to the first, I was very doubtful if I would be able to maintain my health in England during winter; but more than that I felt that, after having read carefully the Reports of the first and the second sessions of the Round Table Conference, that I would be able to do any good to my country by serving as a Member of the third session.

A perusal of the scheme of reforms as elaborated at the three Round Table Conference and outlined subsequently in the White Paper, to which I have referred above, has left no manner of doubt in my mind that I acted wisely, both in the interest of my health and my country, in not associating myself with the third session of the Conference, at which I would have felt absolutely handicapped by the decisions which had been arrived at the first and the second session of that body. I have described elsewhere the discussion on the White Paper in the Bihar Legislative Council in 1933, and my appearing later, during the course of the same year, as a specially invited witness before the Joint Parliamentary Committee, in London, presided over by Lord Linlithgow, who was afterwards the Governor-General and Viceroy of India. I shall not, therefore, repeat the details of those discussions. Suffice it to add that I feel gratified that it fell to my lot to study for many years the working of the highly efficient British Indian system of administration, both from the outside as a non-official critic and leader of the opposition and also from the inside as a member of Government in charge of important portfolios.

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Afterword by Prof. Dr. Mahendra Prasad Singh*

Dr. Sachhidannda Sinha is not a commonplace name in India and Bihar today. Nevertheless, he was a great figure in the earlier phase of the national awakening and movement. Educated in Calcutta and London, he joined the Bar as an Advocate in Calcutta High Court but later shifted to the Patna High Court. He was elected to the Constituent Assembly and was honorably elected its interim chairman and delivered a memorable Inaugural Address in this capacity. This address is the best introduction to the models of comparative constitutionalism around the world: the UK, the USA, Switzerland, Canada, and Australia. I always recommended it as an essential reading to my students in the University of Delhi, and updated it to the present in my lectures.

Dr Pratyush Kumar, a legal expert with interdisciplinary perspectives of political science and history, along with Dr. Madan Mishra has brought Sachchidanand Sinha's autobiography for the first time before readers with a competent Introduction. It's a commendable effort. I earnestly recommend this book to the specialists as well as the general reading public. It will also be a valuable addition to any good Library.

Delhi/January 1, 2022

* Prof. Dr. Mahendra Prasad Singh (born on 2 November 1943), is M.A. (Patna), Ph.D. (Alberta); former Professor and Head of the Department of Political Science at the University of Delhi; former Editor of the Indian Journal of Public Administration (IIPA/SAGE Publications); former National Fellow of the Indian Institute of Advanced Study, Shimla; former co-editor of the IIAS's biannual journal Studies in Humanities and Social Sciences. He was the country coordinator for India for the Global Dialogue on Federal Systems commissioned by the Forum of Federations, Ottawa, leading to a book on Intergovernmental Relations in Federal Systems: Comparative Structures Dynamics edited by Johanne Poirier, Cheryl Saunders, and John Kincaid published by the University Press, New York, 2016. Professor Singh is a leading Indian scholar in the fields of party systems and governmental institutions with special reference to federalism and judicial behaviour in India. He has presented papers in national and international seminars in India, the USA, Canada, the UK, Australia, France, Belgium and Nepal. He has authored/edited a dozen of books including chapters on Indian Federalism and the Supreme Court of India in the Max Planck Encyclopedia of Comparative Constitutional Law, Oxford University Press, New York, (2017, 2018); and the book *Federalism in India*, New Delhi: Sage, 2022.

Glossary

Bakshi – surname used by those serving revenue administrative functions in the Mughal period

Batashas – sweet round and flat candy made of sugar and served on auspicious occasions

Birees/bidis – cigarettes with tobacco wrapped in leaves

Burra Lat Saheb – "burra" means big and "lat saheb" was a term for British offocials so together it means high ranking British official

Darbar – open air courts held by Indian rulers and kings

Darbari – attendee to an open air court held by rulers and kings in India

Darshan – seeing or glimpsing a spiritually enlightened soul, the deity of worship and sometimes just an elevated individual

Deonagri/Devnagari – script in which Hindi and many other Indo-European languages are written

Gaddi – a cushioned throne

Illaichidanas – sugary round candy with cardamom served on auspicious occasions

Kayastha – a Hindu community of scribes, clerks, managers and administrators

Kayastha Pathshala – a Kayastha community school and educational institution opened in Allahabad (now Prayagraj) in 1873

Lucknowa tola – neighbourhood of descendants from the city of Lucknow

Maktab – an occasion when a child is formally introduced to writing which is a matter of celebration/festivity

Maulvi – a Muslim learned man

Munshi – clerk or manager

Pan – betel leaf used as mouth-freshener and digestive

Pansupari party – party serving betel-leaf and different kinds and forms of tobacco-usage as a matter of celebration

Parwana – official order in writing

Qalamdan – pen-holder (could also include ink-holder)

Rajputs – Kshatriya community of warriors, rulers and nobility

Ramrajya – ideal kingdom of Lord Ram, the main protagonist from the Indian epic Ramayana

Saheb – Master or Lord, generally added as a prefix even as a matter of respect

Sanad – an official document/seal of appreciation

Satyagrahi – a term coined and popularized by Mahatma Gandhi meaning to hold firmly to truth or truth force

Sharbat – a sweet and cool beverage served during summers

Vidya-arambh – an occasion when a child is formally introduced to writing which is a matter of celebration/festivity

Short Biography of Editors

Dr. Pratyush Kumar is currently holding the prestigious Humboldt Stiftung Post-Doctoral Fellowship (2022-2025) in law at Goethe University, Frankfurt am Main, Germany. His host is the eminent sociologist of law, Prof. Dr. jur. Dr. h.c.mult. Gunther Teubner. Pratyush Kumar is PhD in Public and Comparative Law from University of Eastern Piedmont, Alessandria, Italy (2018-2021); he taught LLB and LLM students at National Law University Delhi (2012-2017); he is LLM in International and Comparative Law from George Washington University, Washington DC, USA (2009-2010); BA, LLB (Cons. Gov. Hons.) from NLU Jodhpur, India (2003-2008); and has peer-reviewed publications in India, Italy, Germany, France, UK, USA, Brazil, South Korea, Peru with his works translated into Spanish, Portuguese and Korean; he is the author of works: *Colours for Constitutions*, Torino (Italy): Giappichelli, 2022; *Homo Connubialis Brahmanicus*, Baden-Baden (Germany): Ergon/Nomos, 2025; and, *Capillaries of Constitutionalism*, Baden-Baden (Germany): Nomos, 2025 (forthcoming).

Dr. Madan Mishra is PhD in History (2011) from Veer Kunwar Singh University, Ara. He has been involved in research projects, like, *Bihar: Srijan Se Shatabdi Varsh* (Bihar: A Century Since its Birth) under the aegis of Bihar State Archives, Patna (India); *Dictionary of Martyrs: India's Freedom Struggle, 1857-1947* under the aegis of Indian Council of Historical Research, New Delhi (India); *Adhunik Bihar Ke Nirmata: Dr. Shri Krishna Singh* (The Builder of Modern Bihar: Dr. Sri Krishna Sinha) under the aegis of Bihar State Archives, Patna (India). He has been an archivist working with Bihar State Archives since 2013 and has been a co-editor in many of its publications, most notably, *The Making of a Province: Select Documents on the Creation of Modern Bihar, 1874-1917* in three volumes. He is the author of a short biography on the revolutionary martyr, Baikunth Shukla, *Shaheed Baikunth Shukla*, Patna: Bihar State Archives (Government of Bihar, India), 2013.

Index of Subjects

Index of Persons

Index of Places