

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 League 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 press 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 considerable 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 presidency 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 than 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.