

## 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 Government 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* (Volume I, Page 259), from which I may profitably 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"<sup>73</sup>.

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 zamindari in North Bihar, called the Bettiah Raj, which, owing to the mental condition of the Maharani was administered for over forty years

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<sup>73</sup> 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 21<sup>st</sup> 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 1<sup>st</sup> 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.

