SOME EMINENT BEHAR CONTEMPORARIES

By

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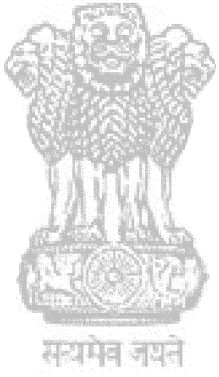

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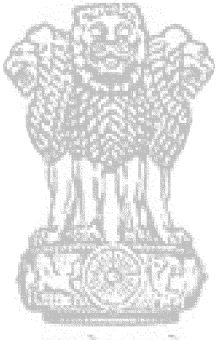
PREFACE

The credit for the publication of this book is due to Pandit Jainath Mishra (the enterprising Manager of the Himalaya Publications, Patna branch, of the well-known publishing firm, called Pustak-Bhandar, of Darbhanga), who suggested to me the desirability of bringing together in one volume the biographical sketches, written by me, from time to time, of my eminent Behar contemporaries. A few of these sketches have been specially written to make this book sufficiently comprehensive. It should, however, be understood that this work is not a biographical dictionary, but a record of the life-work of only those eminent Beharees, whom it has been my privilege to have known more or less intimately, in some sphere or other of public activities. The sketches are arranged in chronological order. I should like to convey my sense of grateful appreciation of the kindness of Lt.-Col. Dr. Amaranatha Jha, the very talented and eminent Vice-Chancellor of the Allahabad University, for the foreword which he has been good enough to contribute to this collection of biographical sketches of the leading workers in the province of Behar, to which Dr. Jha himself is proud to belong.

SACHCHIDANANDA SINHA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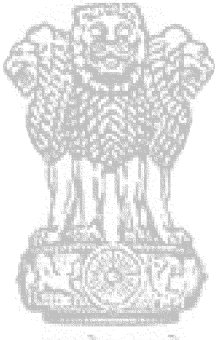

सत्यमेव जयते

FOREWORD

By Lt.-Col. Dr. Amaranatha Jha, M. A., D. Litt.

Shakespeare says in *As You Like It*—"If it be true that good wine needs no bush, 'tis true that a good play needs no epilogue." It is equally true that a good book needs no foreword. But the author evidently desires that someone belonging to a later generation, to whom many of the persons described here are merely names, should say a word about the impression produced on him by this book.

I never saw Khuda Bakhsh, Guru Prasad Sen, Bisheshwar Singh, Saligram Singh, Mahesh Narayan, Shivashankar Sahay, Devamitta Dharmapala or Nandkishore Lall. I feel inclined to ask in the words of Browning:

> "Ah, did you once see Shelley plain,
> And did he stop and speak to you,
> And did you speak to him again ?
> How strange it seems and how new !"

Of some of the others, I have recollections, dim or vivid, and personal knowledge, slight or intimate. I heard Ali Imam speak, and Hasan Imam argue. I remember catching a glimpse of Mazharul Haque, and hearing him at the Lucknow Congress. I met Ganesh Datta Singh on more than one occasion, and thought that he was in his simplicity sublime. I knew Kashi Prasad Jayaswal, and greatly admired

his devotion to scholarship. I was greatly struck with the sincerity and abilities of Harnandan Lall. Deep Narain Singh's wide culture and urbanity, Jwala Prasad's straight-forwardness, and Kulwant Sahay's high character, made an impression which is indelible. I cannot obviously refer to those who were close relations of mine.

The author of *Biography for Beginners* says :

"The art of Biography
Is different from Geography.
Geography is about maps,
But Biography is about chaps."

A great man of letters—who was both a great biographer himself and the general editor of more than one series of literary and political biographies—John Morley, said once that the function of a biography is not to analyse a type, but to depict a physiognomy. In the present collection, Dr. Sachchidananda Sinha offers a rich and varied portrait gallery. Those of whom he writes were well known to him, some of them already advanced in years when he began his own career, others his contemporaries and colleagues : all distinguished themselves as lawyers, landlords, or legislators, scholars, judges, or administrators. All of them are now dead. It is not easy to write of one's contemporaries with the cool detachment which one expects in a balanced estimate. The personal

equation cannot be avoided—one's likes and dislikes, sympathy with one's collaborators and antipathy to those who belong to a different camp. One would naturally imagine that these sketches might arouse controversy. But Dr. Sinha steers clear of the Scylla of prejudice and the Charybdis of partisanship. He has tried to be scrupulously fair; he has kept in mind the last words of Othello: "Speak of me as I am; nothing extenuate, nor set down aught in malice."

In some respects the introductory chapter is the most interesting, as it gives us a general view of the life and conditions in the province of Bihar fifty years ago. Politically Bihar was a neglected part of "Bengal". If it is so no longer, and has now an entity of its own, the credit must go for it to Dr. Sinha, to a large extent. He has rightly been called one of the makers of Modern Bihar. Dr. Rajendra Prasad says that Mr. Sinha was among those who started the movement for the creation of a separate province of Bihar. There were not wanting ill-natured critics who saw in the movement a desire for self-advancement. I remember a skit composed by an anonymous versifier, who began his poem thus (shades of Macaulay !):

"Sachchidananda Sinha
By the nine Gods he swore,
That ere a year was o'er
He should be judge at Bankipore."

But the gibe was pointless, for even before the separation of the province of Bihar from Bengal, Mr. Sinha had been elected, in 1910, to the Imperial Legislative Council, and had an established reputation as a journalist and lawyer.

Dr. Sinha wields a facile pen ; he has a marvellous memory ; he is a voracious and methodical reader ; he is meticulously accurate ; above all he has a genius for friendship. All these qualities have enabled him to produce a book which will be read with delight and profit both by those who knew the persons described, and by those of a later generation who will find in their careers and achievements much that will elevate and inspire.

AMARANATHA JHA

INTRODUCTION

BIHAR—THEN AND NOW : SOME RECOLLECTIONS.

(1893-1943)

"It was in accordance with the pronouncement of His Majesty at the Delhi Durbar, in 1911, that Bihar and Orissa came into existence as a separate province. Until then Bihar had been an appendage and, as we Beharees thought, a somewhat neglected appendage, of Bengal; situated a long way from the seat of the provincial government at Calcutta. After the Durbar Their Majesties visited Bihar and, as was expected, received a demonstrative welcome, and I know the visit still remains in their memory. For, when I had the honour of being received by His Majesty before taking charge of the province, he asked me many intimate questions about Bihar, indicating the close interest he felt for the welfare of the province in the birth of which he had participated".—His Excellency Sir James Sifton, Governor of Bihar and Orissa, at a meeting held at Patna, on 1st March, 1935, to organize the celebration of His Majesty's Silver Jubilee.

THOUGH Bihar is still regarded—and, I fear, not unjustly—as one of the, comparatively speaking, backward provinces of India, nevertheless, it goes without saying, that the state of affairs, at present, is in many respects much in advance of that which

obtained more than fifty years back, when I began my apprenticeship in public life, in 1893, and even till many years later, when it was created a separate province, in 1912. To begin with, there was then no Bihar at all, as both popularly and officially, the Lower provinces (of Bengal, Bihar and Orissa) were known until the 31st March 1912—as "Bengal" only. And as official imprimatur even in matters of spelling—witness the official "Bihar" now in use—still counts for much in our public life, it is not surprising that, except to the Biharees themselves, the very name of Bihar was almost unknown.

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 a recognized text-book 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 in 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 a 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. And now we are in the fourth decade since the memorable year, 1912, of the establishment of Bihar as a province. But it was, beyond doubt, at that time, a most formidable task, as all the vested interests were ranged against me.

How to materialize the dream of my life was then the task before me, and the setting about of a plan of campaign was no easy matter. There was at the time (1893) not a single journal, in English, owned or even edited by a Biharee—*the Behar Herald* (started in 1874, with the co-operation of the

Biharees) had through a series of vicissitudes of fortune passed, some years previously, under a control bitterly hostile to the very idea of the separation of Bihar from Bengal. The presiding genius of the *Behar Herald*, in 1893, was the late Mr. Guru Prasad Sen, then the ackowledged leader of the Patna Bar, who had dominated Bihar public affairs for about a quarter of a century, and whose forceful personality loomed large on the horizon of our political activities. To the talents and energies of Mr. Sen, Bihar owes not a little in the development of her public life, and I gladly avail myself of this opportunity of testifying to this fact, the more so as I am under great obligation to him for his sympathy and kindness, at a time when I was a "struggling, briefless junior." At the same time, it must be added, in the interest of truth, that with the best of motives and intentions, he was most vehemently opposed to the considration of any scheme contemplating the establishment of Bihar into a separate provincial administration. Under the guidance and influence of Mr. Sen not only the leading members of the Bengalee community in Bihar, but even in Bengal, and the Calcutta press, were all strongly opposed to the idea, and the only word they could bring themselves to utter in connection with my proposal was "preposterous." If but a word could ever kill a movement born in the dawning consciousness of

a people, there would have been no province of Bihar even to-day. Such, in brief, was the situation facing me at the time when I started my public life, in 1893—an active, organized and vigilant opposition from the most advanced community in the province, with a long-established organ of their own in the *Behar Herald*, and a masterful political leader in Mr. Guru Prasad Sen.

II.

What was the condition of the public life of the Biharees themselves at the time? I have said above that we had not even a single exponent of our views in the press. But that was not all. There was hardly anyone amongst us then endowed with as masterful a personality as Mr. Guru Prasad Sen, one who could come even within a measurable distance of him. The only one who might have proved (had his life been prolonged) a great Biharee leader, was Mr. Harbans Sahay, of Arrah, a distinguished lawyer, and the first Biharee to be nominated, in 1882, (as even a modified system of election did not obtain at that time) to the Legislative Council of "Bengal". But he had died suddenly some years later, at the premature age of forty-five, leaving a blank in our public life. His successor in the Council—the late Rai Bahadur Jai Prakash Lall, C.I.E.—long the famous Dewan of the Dumraon estate, and deservedly held in high esteem as a capa-

ble administrator—had to work, as the manager of one of the biggest Bihar *zamindaries*, under obvious limitations of a serious character, and could not be expected to lead public opinion. The only centre of public activity at the time was then, as now, Patna; and the only towering personality was the late Mr. Biseshwar Singh, the founder (with the aid of his younger brother, Mr. Saligram Singh) of the Bihar National College. His house was the *rendezvous* of the Biharee politicians of the day, and one often found there assembled of an evening, amongst men of the older generation, the late Rai Bahadur Gajadhar Prasad (sometime a member of the Bengal Legislative Council), and amongst those of the comparatively younger, the late Mahesh Narayan—the first and, till now, the greatest Biharee journalist—and the late Rai Bahadur Krishna Sahay, for some time a member of the Executive Council of this province. The late Mr. Sharfuddin (afterwards a judge of the Calcutta and the Patna High Courts) also used to be there. He was popular with all sections; his being a Congresswallah endeared him particularly to the Biharee Hindus. He was then in fairly large practice, but his not being a "fighting man" was regarded as a serious handicap to the development of our nascent political activities.

Without an organ of their own, the Biharee politicians were in a helpless plight, as their opinion

did neither gain publicity, nor carry any weight with the "Local Government", which term then meant only one officer—the Lieutenant-Governor of Bengal, Bihar and Orissa—who divided his time between Calcutta and Darjeeling, his visits to Bihar being, like the angel's, few and far between. The social leader of the local Biharee community was the late Khan Bahadur Syed Fazal Imam—for a long series of years the highly popular Vice-Chairman of the Patna Municipality, whose charm of manner, *bonhomie*, urbanity, and geniality, had endeared him as much to the Anglo-Indian officials as to the Indians. Speaking broadly, public life and public activities at Patna, in 1893, were at a very low ebb, indeed. The atmosphere was damp and chilly, and the youthful adventurer (even though he may have spent some years in inhaling London fogs) was apt to be benumbed—the political thermometer at that time indicating a temperature below the freezing point.

Outside Patna, it was a case of a lower deep in the lowest deep. Bhagalpore, which had since given to Bihar public life the very virile and energetic personality of Deep Narayan Singh, was then of no account as a centre of political activity. Siva Sankar Sahay, who came into prominence, in public life, after the establishment of Bihar as a province, was an unknown and struggling junior at the Bar, at that time. The only public-spirited gentleman,

then known beyond the Bhagalpore division—was Deep Narayan's father—Rai Bahadur Tej Narayan Singh, who had established, in 1887, the college, so appropriately known after him even now.

The area in North Bihar (constituted, at the end of 1908, as the Tirhut division) was then included in the jurisdiction of the Commissioner of Patna. The late lamented Maharaja Sir Lakshmeshwar Singh, of Darbhanga, was the one Biharee who then commanded the ears of the public and the Government alike, but he was too closely indentified with Calcutta, and too much concerned with Imperial matters (as a member of the Royal Commission on Opium, and in other capacities) to give any time to purely Bihar affairs. For all practical purposes, Rai Bahadur Parmeshwar Narayan Mahtha (of Mozafferpore), was until his death, the leading public man in North Bihar, and was a great supporter of our cause. The Biharee community, in Calcutta—consisting mainly of High Court practitioners—had an able leader in the late Mr. Saligram Singh, but owing to his permanent stay in the then metropolis of India, and his fairly large practice in the Calcutta High Court, he could not exert that influence on Bihar public affairs, which he otherwise was capable of doing, and so he had left their guidance to his elder brother, Mr. Biseshwar Singh, who (as mentioned above) lived at Patna.

This exhausts the list of those who had any share or prominence in the moulding of our public life and its activities in the nineties of the last century. Those who later bore the burden and the heat of the day, and made Bihar what she now is, were struggling to eke out an existence at the Bar, and one was in the judicial service. Mr. (afterwards Sir) Ali Imam was then just getting into a fair practice, and was regarded as the coming man in the profession. Mr. Mazhar-ul-Haque had, some months before, shaken the dust of Bihar from off his feet and betaken himself to Oudh—the "deserted kingdom" of Wajid Ali Shah—not, however, to qualify himself in music, but to administer justice as a Munsiff! The late Mr. Hasan Imam was just picking up his first briefs; and I was engaged in the delightful pastime of waiting for them, with all the cheerfulness and patience Providence has endowed me with. But I can vouch that I did not let the green-eyed monster, "touch the hem of my garments"! Last, but not least, there was Nand Kishore Lall, of Gaya, then and until his premature death, in 1918, always spoiling for a fight in what he regarded as a just and righteous cause.

III.

The Biharee leaders at the time were men who had passed many years of their life under what I

may call the *ancien regime*. Some of them were intimately connected with Calcutta, and their very close association with the leading men of that city, and the friendships contracted with them, had reconciled them to the then situation. They were not disposed to entertain seriously my proposal for starting a propaganda for the separation of Bihar. Most of them, I take it, were honest in their convictions, and thought the effort to be useless, as the consummation (howsoever much to be desired) was not likely to be realized. It was beyond the range of practical politics—as almost all of them put it to me, on more than one occasion. The only man who very warmly espoused the cause, and extended to me, in right earnest, the hand of good-fellowship was Mahesh Narayan. Rai Bahadur Krishna Sahay also lent a warm support to us, though he always made me feel that he did so influenced more by ethical considerations of the pursuing a noble ideal than from any strong conviction that the scheme was realizable.

Outside Patna, the only staunch supporter I had was Nand Kishore Lall, who was destined to play a very important part in the struggle. At last, it was resolved to start a weekly journal (in January, 1894) of which Mahesh Narayan was to be the editor, and the other three of us the principal canvassers and supporters. A few thousands of

rupees were subscribed by some of the leaders who, however, definitely vetoed my proposal—about which I was particular—to call the paper the *Beharee*. It is a significant commentary on the public life of the time that the suggestion was regarded as one betraying an undue and undesirable spirit of provincial assertiveness ! At last, it was decided to call the paper the *Behar Times*, under which name it made its appearance in January, 1894. With the date of its birth may be said to have begun the period of renaissance in Bihar. In July 1907, it was rechristened as the *Beharee*, and on the 13th of April 1912, the day on which Sir Charles Bayley—the first Lieutenant-Governor of Bihar and Orissa—arrived at Patna, and assumed the reins of the administration of the new province, it came out as a daily. Its history since was a chequered one, and need not be sketched here.

The appearance of the *Behar Times*, with its marked pro-Biharee policy, roused considerable opposition in quarters the vested interests of which it assailed. The first attempt to throttle the paper was to profess to treat it with contempt by ignoring its very existence, and taking no notice of its "silly vapourings," as its opponents characterized its writings. But this could not be done for long, and it was not possible when, only a few weeks after its appearance, the Allahabad *Pioneer*—then the most

influential, Anglo-Indian, journal in the country—printed on its first page an exceedingly appreciative notice of it, and expressed its hearty approval of its new contemporary's policy and ideals. By the end of the first year, the paper was fairly well-established, and had come to be recognized as the accredited exponent of Biharee public opinion. This was in a large measure due to the personality of its editor, Mahesh Narayan, who was well-versed in Indian politics, and who wielded the resources of the English language with a skill and felicity which even cultured Englishmen might well have envied.

A recluse by habit, and also owing to defect in hearing, he was a keen and close student of public affairs, and was intimately in touch with Indian problems, in general, and with those of Bengal and Bihar, in particular. Disabled by ill-health, and by undemonstrative temperament, from being a leader in the sense of being a man of action, he came to be justly regarded as a man of thought and ideas—or rather ideals. On the problem of Indian nationalism he had come to the same conclusions as myself, and it was thus that he readily fell in with my views to start a journal for carrying an active propaganda for the separation of Bihar from Bengal. From 1893 till his premature and much-lamented death on the first of August, 1907, I lived in the closest touch with him, and the horizon of our brotherly relations was

never darkened even by so much as a speck of a cloud of misunderstanding. A selfless worker, and a genuine patriot, his soul was heaven in itself, and to have obtained a glimpse of it was more than a compensation for the petty persecutions which I was subjected to, by people who regarded me as the one stormy petrel disturbing the placidity of affairs in the public life of the province.

IV.

As luck would have it, by the end of 1894 a proposal was announced to be under the consideration of the Government of India for the transfer of the Chittagong commissionership of Bengal to the Assam Administration, with a view to give relief to the former province. This was just the opportunity which Mahesh Narayan and I wanted. We at once took up the proposal in the *Behar Times*, analysed it, dissected it, and showed its worthlessness, pointing out that the proposed transfer to Assam would relieve Bengal very little, and that to give adequate relief to the latter no less than half of Bengal proper would have to be amalgamated with Assam, whereas the separation of Bihar (with or without Orissa) would offer an ideal solution of the administrative difficulty. Our prophecies were, in due course, fulfilled to the very letter. After rejecting smaller schemes of transfer to Assam, Lord Curzon could find solution of the problem by transferring

no less than two-thirds of Bengal proper to Assam, while the acceptance of our ideal scheme of the separation of Bihar with Orissa was announced by none other than the King-Emperor George V himself, at the Durbar at Delhi, on the 12th December, 1911.

Of course, the demand of the *Behar Times* was stoutly opposed by Mr. Guru Prasad Sen in a series of well-written articles in the *Behar Herald.* He laid great emphasis on the supposed bankruptcy that was, he said, sure to follow, if Bihar was separated from Bengal, and that the former as a separate administration would not be able to pay its way. The Indian-owned Calcutta papers also were bitterly hostile to our proposal, and the most prominent amongst them in leading the opposition was the *Amrita Bazar Patrika.* Those were days, however, of Pott and Slurk in Indian journalism, and if the *Patrika* did not spare us, nor did we spare it. The battle raged loud and long, but though alone and unfriended, the *Behar Times* carried on a strenuous struggle against desparate odds. The enthusiasm roused in Bihar was tremendous. Public meetings began to be held in many towns demanding the separation of Bihar from Bengal. The movement caught on, and spread like wildfire. Never was Bihar known to be so much exercised about a mere political affair. The Local Government, then presided over by a typical sun-dried bureaucrat, the late

Sir Alexander Mackenzie—still remembered for his having "killed" the Calcutta Corporation—became suddenly apprehensive, especially when some of the leading Anglo-Indian papers joined in the fray. The *Pioneer* published at this juncture some exceptionally able articles urging the creation of Bihar as a separate province, in place of what it called the tinkering policy of transferring two or three Bengalee-speaking districts to Assam, from time to time. The strong support of the *Pioneer*—the articles in which on this subject were popularly believed to have been written by Sir Antony (afterwards Lord) MacDonnell—the most distinguished member of the Indian Civil Service at that time—brought the question in the forefront of politics. The result was that the waverers and the sitters-on-the-fence flocked to our side, and in Patna we were able to hold a very representative public meeting—although a few of the prominent public men were calculating enough to stay away from it. The movement had now taken a definite shape, and was forging ahead.

While all this ink-slinging, if not mud-slinging, was going on, and the *Behar Times* and the *Pioneer* on the one side and the Calcutta papers on the other, were combatting valiantly for their respective causes (more or less in the style of the *Eatanswill Gazette* and the *Eatanswill Independent*), there came the news that Sir Alexander Mackenzie would be visiting

Bihar, and that the first place he would honour with his presence was to be Gaya. We at once requisitioned the services of our trusty comrade, Nand Kishore Lall, and he was commissioned so to arrange matters that the question of the separation of Bihar should find a prominent place in the addresses to be presented to the Lieutenant-Governor, on behalf of the local bodies—the municipality and the district board. Perhaps it was a tactical mistake on our part to have challenged Sir Alexander Mackenzie directly on the point, but enthusiasm is often oblivious of tactfulness. Anyway, Nand Kishore Lall, himself a most zealous advocate of the cause, managed to bring round all the members of the two boards, including even the European officials—a truly marvellous feat that! Accordingly, the addresses were presented and the reply given. And the reply was a veritable "crusher" of our cherished hopes and aspirations.

Sir Alexander not only pooh-poohed our proposal, but emphatically declared that no Secretary of State would ever sanction the establishment of another local government in Northern India (how unwise a prophecy that, Time has shown), and that the discussion in the papers was due to 'silly season' being then in full swing, as the Bengal Legislative Council was not sitting, just as (he went on to say) when Parliament was prorouged the British papers

discussed, "Is marriage a failure?" And so on and so forth. The Lieutenant-Governor's reply was hailed by the *Patrika*, and the other Calcutta papers, as a pronouncement marked by the greatest statesmanship, and they did not miss using in respect of ourselves even a single choice expression of contempt in their journalistic repertory. We could only content ourselves by declaring, in the *Behar Times*, our profound conviction that time was on our side, and that our claims to mould the future destiny of Bihar would be amply vindicated by the march of events.

All the same, we felt highly depressed and greatly mortified, though buoyed up with the conviction that ultimately our efforts would be crowned with success. But the apparently fruitless and even humiliating result of our agitation had a very demoralizing effect upon the waverers amongst our supporters. Though they had come round to our standard, they now practically seceded from us, expressed grave doubt as to the wisdom of the policy we had pursued, and asked us to reconsider our position. We did so, with the result that we became even more firmly rooted in our convictions, if that was possible. But we found we had to build up anew. Practically our strength was reduced to four—Mahesh Narayan, Nand Kishore Lall, Rai Bahadur Krishna Sahay and myself—the "chehar

darwesh" (the four beggars) as one of our opponents dubbed us in terms of mordant sarcasm. For nearly seven years we had to lie low, and bide our time, content with quietly educating public opinion. These were years of trials and tribulations both for the paper and ourselves. During this interval I was the first to be overtaken by so bad a type of malarial fever as to necessitate my immediate removal from Bihar, and I left the province in November, 1896. After spending two seasons in Kashmir to regain my health, I settled down and built, in 1898, a permanent home at Allahabad, where I have lived since, for long periods, though I returned some years later to Patna, to resume my practice.

Years passed during which we held our souls in patience. But in December, 1903, there appeared in the press the famous letter of Lord Curzon's Government asking for public opinion about the proposed transfer to Assam of the Chittagong and the Dacca commissionerships of Bengal. The moment I read the letter I felt that there was bound to come about some territorial redistribution, in due course, and I resolved to resume my activities and organize demonstrations in favour of the separation of Bihar. Mahesh Narayan was still the editor of the *Behar Times*, and keeping aloft the banner of the separation of Bihar from Bengal. Accordingly we put

our heads together, as of old. Nand Kishore Lal was as enthusiastic as ever. Rai Bahadur Krishna Sahay was still with us, but he impressed caution, in view of the frustration of our first attempt. The result of our deliberations was the decision that we should not embark upon any agitation, but try to bring round the Bengalee leaders to accept the separation of Bihar as an alternative proposal to theirs—which was to raise Bengal, Bihar and Orissa to a governorship-in-council.

It seems that our not starting an open agitation on this occasion was, after all, to our advantage, to judge from the following remarks of the Government of India, on the subject, in their famous Despatch, of August 1911, to the Secretary of State : "The Biharees are a sturdy loyal people, and it is a matter of common knowledge that although they have long desired separation from Bengal, they refrained at the time of the partition (of Bengal) from asking for it, because they did not wish to join the Bengalees in opposition to Government. There has moreover been a very marked awakening in Bihar in recent years, and a strong belief has grown up among the Biharees that Bihar will never develop until it is dissociated from Bengal. That belief will, unless a remedy be found, give rise to agitation, in the near future, and the present is an admirable opportunity to

carry out, on our own initiative, a thoroughly sound and much-desired change." This is certainly a correct diagnosis of the situation as it existed in Bihar at that time. But with a view to achieve our object by "educating our masters," Mahesh Narayan and I jointly brought out a pamphlet on the subject (in January, 1906) which was widely circulated in India and Britain, and which substantially influenced public opinion. It was designated *The Partition of Bengal or the Separation of Bihar* ; the text having been written by me, and a luminous introduction contributed by my colleague, Mahesh Narayan.

With the same object I went down to Calcutta and had a long interview with Mr. (afterwards Mr. Justice) Asutosh Chaudhuri, who was one of the principal organisers of a great demonstration of anti-partition protest, which was going to be held in the Town Hall. Mr. Chaudhuri said that Bengal public opinion was not in favour of any alternative scheme to that of the elevation of Bengal, Bihar, and Orissa to a governorship, but that if I cared to speak on the subject, I would be allowed to refer to the separation of Bihar as an alternative ! I declined to be a speaker under such conditions, and the result was that the Bengalee leaders, for want of political prescience, missed a great opportunity of cornering Lord Curzon's Government. They should have

met the Government on their own ground and put it to them like this:—"We do not concede that territorial re-distribution is at all necessary, but if the Government, rightly or wrongly, insist that that alone, and not any organic changes in the constitution, will give relief of the Lower Provinces' administration, then we support the demand of the Biharees for the separation of Bihar." This line of argument, which I suggested to my Bengalee friends, would have been conclusive and invincible, but unfortunately they fought shy of it—to their cost.

By doing so they placed themselves at a disadvantage, and Lord Curzon was not slow to improve this circumstance. In his Despatch to the Secretary of State on the subject of the partition of Bengal, this is what his Government (which was, of course, synonymous with himself) wrote.—"The suggestion of a council to assist the Lieutenant-Governor of Bengal having been pressed upon us as the *sole available alternative to territorial distribution* (the italics are mine), we have carefully considered the arguments, and we are entirely opposed to the introduction of a form of Government which we believe to be wholly unsuited to the circumstances of Bengal." Yes, the Bengalee leaders had put forward an organic change in the constitution of local Government as "the sole available alternative to territorial distribution," and the former being

rejected, there remained nothing before the Government to prevent them from drawing the political map of Eastern India as they liked. And so, in 1905, a Government notification announced that the Secretary of State had sanctioned the partition of Bengal, which became an accomplished fact on the 16th October of that year—a memorable date in the history of modern India, for more reasons than one.

V.

The partition of Bengal though it did not give the Biharees all they wanted, gave them a great deal more than they had ever obtained under the old system. In 1906 Sir Andrew Fraser—the Lieutenant-Governor of the "new Bengal"—acquired for his residence the Chhaju Bagh House, in which Lord Minto stayed when he came to hold a Durbar at Patna, in February, 1906. In the course of his speech Lord Minto described it as the "charming Government House"—a declaration held by the Biharees as a recognition of the new status of Bihar, and of its capital. As the first administrator who paid attention to Bihar, Sir Andrew Fraser, was very popular, and his name is gratefully remembered by the many Biharee scholars who have been helped in their education by the trustees of the Fraser Memorial Trust, who administer the income of the fund (now amounting to a large sum), raised to commemorate Sir Andrew's services

to the people of Bihar In April 1906 the *Behar Times* was reconstituted, a number of friends having been induced by me to take over the paper from Mahesh Narayan, he continuing as the editor without being burdened with its financial responsibilities. Its name was changed to the *Beharee*—which I had suggested in 1893, when the paper was started, but which (for reasons set forth above) could not be then effected. The paper in its new form was conducted with considerable vigour and it received appreciative and eulogistic notices from not only almost all the leading Indian journals, but from even some of the foremost Anglo-Indian papers.

It was also very significant of the new situation brought about that even the Bihar Landholders' Association, in an address presented to Sir Andrew Fraser, in 1907, mustered courage to address him as the "Lieutenant-Governor of Bihar and West Bengal"! The sudden death, however, on the 1st of August, 1907, of Mahesh Narayan cast a gloom throughout the province, and paralysed our activities. Once again, we had to build our public life anew. New sources of strength had to be tapped, and new alliances had to be formed. A very energetic worker was forthcoming in the late Mr. Brahma Deo Narayan, a retired Deputy Collector. He was a cheerful and an enthusiastic

worker in the public cause, and had resolved to spend the evening of his life in advancing public interests. In the beginning of 1908 there also came to practice, at Patna, the late Mr. Mazhar-ul-Haque. After having resigned his service in Oudh, he had returned to his first love—the Bar—and had practised at Chapra for many years, and taken an active part in the affairs of the Municipal Board, having been elected its Vice-chairman.

Messrs. Ali Imam and Hasan Imam had by this time become the leaders of the Patna Bar, and it was considered desirable to seek their sympathy and co-operation. And thus in our anxiety to carry on the work with which Mahesh Narayan had been so closely identified; we were led to form a new alliance, in which the Biharee Mussalman was to play as prominent and as honourable a part as his Hindu compatriots had done in the years gone by. The first result of the new alliance was the holding of the first session of the Bihar Provincial Conference, at Patna, in April 1908, under the presidentship of Mr. Ali Imam. A resolution on the separation of Bihar from Bengal, and its constitution as a province, was moved by the late Sir Muhammed Fakhruddin, and supported by representatives of most of the districts. About five years later the scheme advocated by us was an accomplished fact, as the result of the announce-

ment made by the King-Emperor himself at Delhi, the inner history of which I shall now disclose.

VI

Perhaps the first tangible result of the partition of Bengal, and the predominance acquired thereby by Bihar in the reconstituted province of 'Bengal', was the appointment, in 1907, of the late Mr. Sharfuddin as a Judge of the Calcutta High Court. Till then no Biharee lawyer had been elevated to the High Court Bench. His appointment was, therefore, hailed with enthusiasm throughout Bihar. In 1908, Mr. Ali Imam was appointed Standing Counsel to the Government of India, in the Calcutta High Court. This was also the first time that this appointment had fallen to the lot of a Biharee. Early in 1910 at the first election held under the Morley-Minto Reform, I was elected (along with the late Mr. Bhupendra Nath Basu) to represent the Legislative Council of Bengal in the Imperial Legislative Council. Hitherto the only Biharees to have been members of the Imperial Legislative Council had been the two Maharaja Bahadurs of Darbhanga—Sir Lekshmeshwar Singh, and his younger brother, Sir Rameshwar Singh, father of the present Maharajadhiraj, Sir Kameshwar Singh. At the same election Mr. Mazhar-ul-Haque was elected as the representative of the Muslims, and the Maharajadhiraj of Burdwan (Sir Bijaichand Mahtab) as that of the landlords.

Thus out of the four seats assigned to the representatives of the province of the "new Bengal", two were captured by the Biharees, which was not at all bad. Further in the reconstituted Bengal an Executive Council had been established, and the first Indian Member of it was the late Raja Kishori Lal Goswami. There was at that time no Executive Council in any province other than the two old presidencies of Bombay and Madras. It was, therefore, a novel and an important constitutional departure when the reconstituted province of Bengal, though administered by a Lieutenant-Governor, was endowed with an Executive Council. The Biharees naturally hoped that in the fulness of time the Indian Executive Councillorship would fall to the lot of a native of Bihar. But no Biharee dared then to aspire to be a member of the Central Executive Council, as the influence of West Bengal was still predominant.

In September, 1910, I was at Simla to attend a session of the Imperial Legislative Council, and was invited to lunch by the Viceroy—Lord Minto. He had a long talk with me on the question of the appointment of an Indian successor to Mr. S. P. (afterwards Lord) Sinha, who was insistent on resigning his office as the Law Member of the Government of India. Lord Minto said to me that his own idea was that it would be desirable if Mr.

Sinha could be succeeded by a qualified Mussalman. But he added that he was being pressed by the then Home Member, Sir John Jenkins, to recommend the appointment of Mr. Justice Davar, of the Bombay. High Court. It immediately occurred to me that the only chance for securing the office of the Law Member for a Biharee was the immediate exclusion of Mr. Justice Davar's name from consideration.

I accordingly told Lord Minto that in my opinion Mr. Justice Davar's elevation to the Law Membership would be wholly inexpedient—firstly because a High Court Judge should not be allowed to have any further expectation of higher office, and secondly because Mr. Justice Davar being the Judge who had convicted and sentenced Mr. Bal Gangadhar Tilak but a few months back, his appointment would naturally be unpopular with the politically-minded classes. These points were evidently home-thrusts, and Lord Minto at once fell in with my views. He said that these considerations had not struck him, and that he would explain the position to Sir John Jenkins. He asked me then which Mussalman was in my opinion the fittest person to succeed Mr. S. P. Sinha, and I told him at once that Mr. Ali Imam was beyond all doubt the most qualified. Lord Minto said that he would think over my suggestion, and if he agreed with me he would ask Mr. S. P. Sinha to write a letter to Mr. Ali Imam, which letter

Lord Minto wanted me to deliver to Mr. Imam, in Calcutta.

The very next day the Private Secretary of the Viceroy informed me that His Excellency had requested the Law Member to give me a letter to Mr. Ali Imam, which I was requested to deliver to him personally. The letter was shown to me by the Law Member, and I left immediately for Calcutta. Lord Minto and Mr. S. P. Sinha were both extremely doubtful whether Mr. Ali Imam would care to take up the office of the Law Member, as he, as the Standing Counsel, was then earning a very much larger amount than the salary of a Member of the Governor-General's Executive Council; and the reason why I had been chosen the messenger of that important epistle was because I was expected to exert my influence with him, in view of my life long intimate relations with him.

I found Mr. Ali Imam very unwilling to accept the Law Membership, and it was with very great difficulty that I succeeded in persuading him to give me a reply intimating his acceptance of the office. I put before him many arguments in favour of his acceptance, but the one which appealed to him most was my suggestion that by doing so, he might perchance be in a position to bring about the constitution of Bihar as an administrative unit, which both he and I so ardently desired. He

yielded ultimately to this last argument, and gave me a reply addressed to Mr. S. P. Sinha, which I myself posted to him duly registered. Late in November, 1910, it was formally announced that Mr. Ali Imam's appointment as Law Member had been approved by the King-Emperor. There was naturally universal rejoicing in Bihar at the announcement made, and his first visit to Patna, as the Law Member, was celebrated with great *eclat*.

VII.

In the autumn of 1911, I was at Simla 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, 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 connexion 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 predominent 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 that 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 in-

stead 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 colleagues 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 !

The implication of the term used in the King-Emperor's declaration was not realised at the time by the distinguished audience assembled, not even by some eminent lawyers. A few days later when the King was laying the foundation of New Delhi, I was standing next to the late Sir Pramada Charan

Bannerji, then the most distinguished Judge of the Allahabad High Court. He said to me, "Hearty congratulations; so at last you have got a province of your own." I said, "Yes, thanks, and with an Executive Council to boot." "Nonsense", said he, "you have got a Lieutenant-Governor and a Legislative Council, just as we have in the United Provinces." I said, "Judge, you are, for once, mistaken. Bihar has got a Lieutenant-Governor with an Executive Council, and also, of course, a Legislative Council". "Where did you get that from ? I did not hear the King say so," he said. I replied: "The King declared that Bihar and Orissa were to be under a Lieutenant-Governor in Council, which as a term of art means an Executive Council." "Is that so ?" said he, and added: "Well I confess it did not strike my mind in that way." Many people were similarly mistaken at that time, and it was when I told the story of Mr. Justice Bannerji to Mr. Ali Imam that he said that he felt highly gratified at the success of the plan suggested by me, and acted upon by him, for securing an Executive Council for Bihar and Orissa.

IX.

Such is a rough outline of the history of the movement which resulted in the establishment of a self-contained Bihar, endowed with an Executive Council—which was for years the envy of Agra and

Oudh, and the Punjab—and also a Legislative Council with an elected non-official majority, which did not then exist in any other province, except Bengal. In 1916, the province came to have its own High Court, and the next year a well-equipped University. It was a matter of the greatest advantage to Bihar that at that critical time in its history, the Governor-General's Executive Council had as its Law Member, a truly patriotic Biharee like Sir Ali Imam, but for whose presence the counsel of the Government might have taken a different shape. Soon after the King's announcement about Bihar, I met, in Calcutta, the late Lord Sinha. He was much exercised about the matter. In the course of a long conversation, he said to me : "Well, I did not listen to your advice to continue in office, and I resigned to revert to the Bar, only to find that the bird which lay the golden eggs had flown away. Could I but anticipate it, I would never have resigned and allowed Ali Imam to come in, for what is the Calcutta High Court without its jurisdiction over Bihar ?"

Since the constitution of Bihar as a separate administration, public life had made—comparatively speaking—considerable advance, in testimony whereof it is sufficient to recall the success of the sessions of the Indian National Congress held at Patna, in 1912, and at Gaya, in 1922. Mr. Ali Imam,

as the Law Member of the Government of India, and some others in the provincial government, and Mr. Justice Hasan Imam, Mr. Justice Jwala Prasad and Mr. Justice Kulwant Sahay—to mention but these who are no longer living—had amply demonstrated the administrative capacity and the judicial acumen, of the Biharees, respectively, while the late Mr, Mazhar-ul-Haque and Srijut Rajendra Prasad—to mention no others—had shown the depth and intensity of self-sacrifice which the best type of Biharees are capable for what they believe called for in public interest.

A number of new recruits had also come into the field. North Bihar was well represented in the galaxy of public workers by Rai Bahadur Dwarka Nath until his death, in 1938; while South Bihar had to its credit (amongst others) that great patriot, Mr. Deep Narayan Singh. The domiciled Bengalee community also furnished in the late Rai Bahadur Purnendu Narayan Sinha a recruit who had enriched our public life with talents and energy. In recent years we have also had, as our co-workers in public interest, some of the new type of the zamindars (like the Hon'ble the Maharajadhiraja of Darbhanga, and others), who are enlightened enough to support movements conducive to public good; while the new Congress party had supplied several workers in public

cause, some of whom had placed to their credit good work in various spheres of activities. In the field of learning and scholarship, I may mention, amongst others, Khan Bahadur Khuda Bakhsh (the founder of the world-famous Oriental Library, at Patna); his cultured son, Salahuddin, and those great orientalists—Sir Ganganath Jha and Dr. Kashi Prasad Jayaswal.

The hearty co-operation, on the whole, between the Hindus and the Mussalmans in Bihar is a fact which has been repeatedly acknowledged by almost all competent authorities as a unique feature of our public activities. With this great advantage in its public life, Bihar ought to have a great future before it. This cosmopolitanism of Bihar is no recent thing after all, but is rooted in the historic traditions of the people. As was very happily put, in one of her inimitable essays, by the late Sister Nividita: "Bihar has always been, and remains today, the most cosmopolitan province of India. It has doubtless been this close contiguity of highly diversified elements, within her boundaries, that had so often made Bihar the birth-place of towering political geniuses. The great Chandra Gupta, his grandson Asoka, the whole of the Gupta dynasty, Sher Shah, and finally Guru Gobind Singh, are more than a fair share of the eminent personalities of Indian history for one province to have

produced. The policy of the great Akbar himself was determined by the ideas of his predecessor, Sher Shah. Each of the great Biharees has been an organizer. No one had been a blind force or a tool of others. Each had consciously surveyed and comprehended contemporary conditions, and knew how to unify them in himself, and given them a final, irresistable impulsion in true direction." These words, I believe, are as true of the present—comparing small things with great—as of the past.

A people with such great and glorious traditions—historical and spiritual—of which they can justly be proud, now that they have obtained a distinct individuality in the country, will surely rise, in the fulness of time, to the occasion. I am not oblivious of the seamy side of Bihar public life today, but in spite of the lethargy, listlessness, apathy and indifference of even its educated classes to public interests—which have led some to call Bihar "the Beotia of India"—there is every reason to believe that, though slowly but nonetheless steadily, Biharees will have qualified themselves, in the long run, for the higher destiny awaiting the people of this country. True, there is much lee-way to be made up before Bihar may reasonably expect to take its rightful place in a federation or union of the British Indian provinces and states. Its public life will have to be re-organised on a sounder basis,

and re-constituted on healthier lines. The educated classes will have to prepare themselves for much greater self-sacrifice in time and money than they had done so far. They will have to apply themselves to a new, constructive, programme of public activities, and not follow blindly the old ones merely because they are regarded as popular. There are many other limitations on public activities in Bihar; but in spite of them all, I cannot help feeling that every patriotic Biharee may well address to his Province the words which Shakespeare put into the mouth of Romeo in addressing Juliet, when she lay in a trance that he so fatally mistook for death:—

"Thou are not conquered, beauty's ensign yet
Is crimson in thy lips and in thy cheeks,
An death's pale flag is not advanced there."

SOME EMINENT BEHAR CONTEMPORARIES

KHUDA BAKHSH : THE INDIAN BODLEY

(1842-1908)

The Patna Oriental Public Library—popularly known, after its founder, as the Khuda Bakhsh Library—is one of the very finest collections of Islamic literature in the world. It is rich in rare, valuable, and beautifully-illuminated manuscripts in Arabic and Iranian languages, in various branches of literature, learning, and knowledge, written by some of the most famous calligraphists in Muslim countries, including Hindustan. "It embalms, at their best, for those who care to know about them, the ideals of the old Muslim world," says Mr. V. C. Scott O' Connor, in his exceedingly well-written work, called *An Eastern Library*, which highly interesting and excellent, little, book should be studied by those concerned with the subject. "In truth," he justly adds, "there is nothing in the world to surpass the exquisite calligraphy, the enamelled gold, the priceless miniatures, the colours of *lapis-lazuli* and vermilion, of indigo and scarlet, green, purple cinnabar, and saffron, of these illuminated pages."

The nucleus of this truly magnificent collection was formed by the founder's father, Muhammad Bakhsh, (1815-1876), who lived at Chapra, in North Bihar, in the first half of the nineteenth century, and who came of a family given to law and letters. He removed himself to practise at Patna in 1843, soon after the birth of his son, Khuda Bakhsh. It was he who formed the nucleus, which was later developed by Khuda Bakhsh into the great institution, containing the magnificent collection of manuscripts, which is the glory of the city of Patna.

Khuda Bakhsh was born, at Chapra, in 1842. He was educated in Calcutta, and after passing through struggles and privations for years, ultimately became a lawyer, and settled down to practise at Patna, in 1868, at the age of twenty-six. He was a man of striking personality, and dignified appearance. Having achieved notable success in his profession, and served for many years as the Government Pleader—to which office he was appointed in recognition of his forensic ability—he went to Hyderabad (Deccan), in 1894, as the Chief Justice of the Nizam's High Court, where he served till 1898. Thereafter, on his return to Patna, he lived in retirement till his death, in 1908. For his useful public activities, he was awarded a Certificate of Honour at the Delhi Durbar of 1877, was elected the first Vice-Chairman of the Patna

Municipality, and of the Patna District Board—on the introduction of the system of local self-government, by Lord Ripon, in 1883—the Chairmanship being then reserved by law for the District Officer. In recognition of his later public activities, a Khan Bahadurship was conferred on him, in 1883; while a Companionship of the Order of the Indian Empire was bestowed on him, in 1903, in appreciation of his public spirit as the founder of the Oriental Library. He was also nominated a Fellow of the Calcutta University.

In 1908, upon the completion of his sixty-sixth birthday, he died at Patna; and was buried within the precincts of his world-famous Library. "There," wrote his scholarly son, Salah-ud-din, "amid all the associations which the Library enshrines, there under the shadow of that literary pantheon, in the exalted companionship of the great writers of Islam, he rests at the end of his life's voyage." I agree with the writer that there could be no more fitting, or a more worthy, resting-place for so great a bibliophile —the greatest that India had so far produced, and so devoted a lover of Muslim literature and learning. From 1893, until he went to Hyderabad, in 1894, I was intimately associated with him in the work and administration of the Library, and after he had left Patna, I worked as the Honorary Secretary of the Institution, until his return from Hyderabad, in 1898,

on his retirement from the Nizam's High Court. Of that sound scholar and devoted bibliophile, the founder of the greatest Library, in India, of Islamic learning, that splendid institution itself stands as a lasting monument ; and Patna justly claims to be regarded as a place of pilgrimage for all interested in Islamic studies and scholarship.

II.

Sir Jadunath Sarkar—the famous historian of Muslim India, who knew Khuda Bakhsh personally —thus writes of him, his scholarship and public spirit :—"He was one of the greatest authorities on Islamic bibliography. An article from his pen on this subject appeared in the *Nineteenth Century* (in 1902). But it represents only a small part of his knowledge. I remember how one day he poured out of the copious store of his memory, a full list of Arabic biographers and critics, from the first century of the Hijera to the eighth, with running comments on the value of each. Most of their works he had himself collected. He also compiled a descriptive catalogue of many of his manuscripts, the *Mahbub-ul-albab*, written in Persian, and lithographed at Hyderabad in 1314 A. H. Next to the acquisition of a rare manuscript, what gave him most delight was to see anybody using his library in carrying on research." Sir Jadunath then describes the fine

structure built by Khuda Bakhsh, in which he housed the splendid collection he had formed :—"Khuda Bakhsh had promised to his dying father to erect a house for the Library, but the way in which he carried out his promise must have delighted Muhammad Bakhsh's soul, in paradise. This middle-class lawyer spent Rs.80,000 on the Library building. It is a two-storied structure with a spacious hall, and two side rooms on the first floor, and a wide shady verandah going all around it. The two stair-cases, the west verandahs, and most of the lower rooms, are paved with marble or stone mosaics ; in the other verandahs and rooms the floor is covered with encaustic tiles. The whole Library, with the building and grounds, was made over to the public by a trust-deed, on 29th October, 1891—one of the conditions being that the manuscripts should not be removed from Patna. The donor in his unselfishness did not even give his own name to his gift, but called it the Oriental Public Library. The public, however, do not accept this self-effacement, and the Khuda Bakhsh Library is the only name by which it is known in India and Europe."

The building originally constructed, and opened in 1891, suffered seriously in the terrible cataclysm of 1934. It had to be pulled down, in part, and replaced by a separate, commodious, building especially adapted to the modern requirements of a

Library of manuscripts. "But Khuda Bakhsh's devotion to the Library is not to be measured by the money he spent on it, practically all his earnings. His whole heart was set on it. The Library was the subject of his thoughts in waking and sleep alike. His very dreams centred round it. He was the Indian Bodley, and unborn generations of Indian scholars and readers will bless his memory and say that he was rightly named *Khuda Bakhsh*, 'the Gift of God'." Thus Sir Jadunath Sarkar concludes his appreciation of the greatest Indian bibliophile, an appreciation with which I wholly agree, and fully endorse.

III.

To attempt to describe the riches of the Khuda Bakhsh Library, in a short compass, would be an impossible task, and he who would like to have some idea of them should not only see them casually, but scrutinize them for days, weeks, and months. A short account of the collection was given by Sir Jadunath Sarkar in his article, contributed to the *Modern Review*, for September, 1908—from which I have quoted some passages above. Another such sketch was given by the founder's son—Salah-ud-din Khuda Bakhsh—in his essay headed, "My Father: His Life and Reminiscences," which was included in his book, called *Essays—Indian and Islamic* ;

while a longer record is to be found in Mr. V. C. Scott O' Connor's book, *An Eastern Library*. For the reader of this sketch of the life-work of Khuda Bakhsh, I cannot do better than quote a passage from his own article in the *Nineteenth Century*, on "Islamic Libraries." He wrote in the course of it:—

"I hope I shall not be deemed guilty of want of modesty if I describe the Library which I have given to the city of Patna. It is not vanity, but the desire of bringing it to the notice of the orientalists in Europe, that impels me to mention it in this paper. The idea of founding a Library long floated before the vision of my father. The greater portion of his income he spent in the collection of manuscripts, which numbered 1,400 at the time of his death, in July 1876. On his death-bed he entrusted these manuscripts to me, and asked me to convert his Library for the use of the community, whenever I should find myself in a position to do so. I inherited, to the fullest extent, my father's passion for collecting books, and since his death I have been making large additions to it. In 1891, the Library was opened to the public. It then contained nearly 4,000 manuscripts. The number of manuscripts now is over 5,000. The Library, further, possesses select manuscripts which formerly belonged to great orientalists, like De Sacy, Sir Gore Ouseley, and Mr. Blochmann, of the Calcutta

Madrasah, and many, indeed, are the notes in the handwriting of those men." To complete this brief reference to the contents of the Library, I may quote a few lines from his son's article on Khuda Bakhsh, mentioned above, which will convey to the reader an idea of the characteristics of that greatest book-collector and book-fancier. Thus wrote Salah-ud-din :—"I may here mention that my father had a peculiar weakness for fine binding. He insisted on his books being excellently bound, and the Library can boast of rare specimens not only of oriental but also of European binding. It were idle to try to convey in a few pages any adequate idea of the imperishable treasures which the Library possesses, and I shall not embark upon a task which I consider so hopelessly impossible," I agree. But those desirous of having an idea of some of the gems in the Library should consult the sources of information mentioned by me above, and also the great catalogue of the collection, to which some reference is made in the next section.

The Oriental Public Library was opened to the public— as stated above—in 1891, by Sir Charles Elliott, the then Lieutenant-Governor of Bengal, Bihar, and Orissa. Lord Curzon's attention to the Library was drawn by Dr. (afterwards, Sir) Dension Ross, of the Calcutta Madrasah, and also by Sir Charles Lyall—both eminent scholars of Muslim

literature. But for their efforts, that valuable store-house of Islamic learning would have remained unnoticed by, and unknown to, Lord Curzon. Both of them being scholars of Islamic literatures were irresistibly drawn to the Library. It was they who aroused the interest of Lord Curzon in that great institution, with the result that that accomplished scholar and keen antiquarian, visited the Library in 1903. The sanction for the construction of a commodious reading-hall, and the preparation of the descriptive catalogue, under the supervision of Dr. Denison Ross, were the direct outcome of Lord Curzon's visit. During the decades that have followed since, the catalogue of the contents of the Library had been compiled by scholars, in numerous volumes, and printed by Government, and it was justly regarded by experts as a monumental reference work on the subjects it dealt with. I quote below Lord Curzon's remarks made by him in the visitor's book of the institution, in 1903, which are worthy of attention even now :—"While at Patna, I inspected with great pleasure the Library which the liberality of Khuda Bakhsh has presented to the public, and I was shown many of the rare and valuable treasures which it contains. I discussed with the generous donor the means by which the collection may be preserved from risk of fire, or any other danger, and by which its advantages may

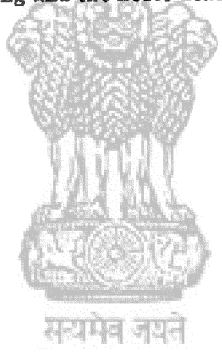
be made even more accessible than they now are to the reader and student. I hope that steps may be taken in both of these directions." The Library had been long since a Government-aided institution, and is well maintained by a handsome grant made to it by the Provincial Government of Behar.

IV.

Such was Khuda Bakhsh—a truly great man, of whom not only Behar, but India may well be proud. "My father always deplored and deprecated the tendency of his countrymen to invent a pedigree, or claim fanciful descent. He regarded such a tendency as the surest sign of national decadence and demoralisation, and the last refuge of the unworthy and the incompetent"—so wrote Salah-ud-din of his father. And those, who (like myself) had the privilege of knowing him intimately, will readily endorse that verdict of his son. Though a great scholar, there was no taint of that snobbery about him which one finds, in this country, associated with some who have pretensions to learning and scholarship. He lived the simplest life, and though he earned much as an advocate, he spent by far the greater part of his earning on the advancement of learning, through the medium of the great institution for which he worked all his life. Thus it is that the study of biographies of men like Khuda Bakhsh

yields the richest harvest to posterity, since there is traced in them the evolution of the mental processes and outlook, and also useful activities, of great public workers, calculated to exercise a healthy and stimulating influence on the mind of succeeding generations, emphasing thereby the great truth embodied by Wordsworth in his memorable lines :—

"There is one great society alone on earth,
The noble living and the noble dead."



GURU PRASAD SEN
(1842-1900)

Guru Prasad Sen was, in the early nineties of the last century, one of the foremost legal practitioners in Behar, and retained that position till about the end of his very strenuous life, in 1900. He was in the full maturity of his intellectual powers, and at the height of his fame and prosperity, when I returned to Patna, in 1893, after my call to the Bar. Without waiting for me to call on him, he himself came over to see me, treated me very kindly, and displayed a keen interest in my welfare. Very curiously my first appearance as counsel was before a magistrate at Patna, in which Guru Prasad Sen had been retained for the prosecution. This was justly regarded as a great compliment to me as the lawyer for the defence, and my reputation stood considerably enhanced when the accused was acquitted as the result of my advocacy, in spite of a strong speech delivered on behalf of the prosecution by Guru Prasad Sen. Thereafter, I got a number of briefs, and soon came to be regarded and talked about as a "rising junior." Guru Prasad Sen invited me to dinner (in European style), introduced me to his eldest

son, who was a barrister practising at Patna, and who knew well Mr. Sewa Ram of Lahore, my wife's father. It was, in fact, the conversation at this dinner which led to negotiations which resulted in my marriage, in 1894. I have thus many reasons to recall with gratitude the memory of Guru Prasad Sen—not only for what he did towards organizing public life in Bihar, when Biharees were too backward to do so, but also for his great kindness to me personally, for years, when I was a struggling junior.

Born in East Bengal, in 1842, Guru Prasad Sen was one of most distinguished scholars of the Calcutta University, having topped the M. A. list in History, in 1864, and also the list of successful candidates at the B. L. examination a year later, and was awarded the University gold medal for the year. He was at once appointed a Deputy Magistrate and served as such for two years from 1866 to 1868. In the latter year he was transferred to Behar, and posted at Patna. Here—as the consequence of his independent spirit—he resigned Government service and joined the Bar, and practised, all his life, as one of the recognised leaders in the profession, with an established reputation for ability and industry, a capacity for mastering details, as well as for skill in cross-examination. But it was not only as a highly successful lawyer that Guru

Prasad Sen was known ; he was also in the front rank as a public man and publicist. It was mainly by his exertions that a weekly, *The Behar Herald*—which is still in existence, though with a considerably changed policy—was established at Patna, in 1874, as the first English journal in the province, with a view to advance its interests, and he maintained and edited it, at considerable self-sacrifice, until his death in 1900. In September, 1943, when the journal he had founded entered upon the seventieth year of its existence, the conductors of the *Behar Herald* issued an excellent souvenir number, containing an exceedingly good collection of well-written articles by many prominent contributors, which showed that it was still going strong. Curiously that otherwise admirable issue contained no sketch of the life and activities of the founder of the journal, such as I have attempted in this survey of his career.

Ever since the establishment of the Behar Landholders' Association, in 1878, Guru Prasad was its Secretary, for many years. Thus as a lawyer, journalist, and publicist, he served for a long time the interests of Behar ; and it was not till Beharees had developed political consciousness that there arose a conflict, between him and them, on the question of the separation of Behar from Bengal, which had become a crucial question, by 1894. Guru Prasad Sen was

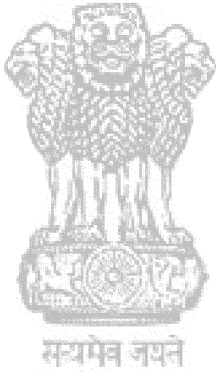
also a staunch Congressman and one of the warmest supporters of that movement, ever since its inception at Bombay, in 1885. In 1895, he was elected a member of the Bengal Legislative Council, being returned by the District Boards of the Dacca commissionership, and in the following year the graduates of the Calcutta University returned him as a Fellow of the University.

As a public speaker, Guru Prasad Sen displayed mastery over facts and figures, was partial to close reasoning and less to rhetoric. His numerous contributions to the *Calcutta Review* can be read with pleasure and profit even now. He was probably the first to establish that Hinduism owed its vitality to its tremendous capacity for assimilation of all that was good in the various religions that had arisen in India, from time to time, and also been imported from abroad, and that there was nothing rigid or hidebound about Hindu dogmas or conventions. His theory met at first with adverse criticism, from many learned men, but his position has been long since considered to be unassailable. His book, on the subject—*Introduction to Hinduism* (1893)—was thus a notable achievement, and can still be read with great advantage. His other publications served, at the time they were issued, the object that the author had in view, particularly the one on trial by jury, which substantially contributed to the cancellation

of the order of the prohibition of that system, which had been promulgated, in 1893, by the then Lieutenant-Governor of Bengal, Bihar and Orissa.

Like many people, however, who have lived and moved in an atmosphere to which they have got used, Guru Prasad Sen, in his later years, could not fully appreciate the rising political consciousness of the educated classes amongst the Biharees, with the result that he took up an attitude of stern hostility to the scheme for the separation of Bihar, from Bengal, and its constitution into a provincial administration. But he died long before it fructified, in 1911, and so he passed away happy in the conviction that Bengal and Bihar were indissolubly united, and would never be sundered! Though he erred, however, in the view he took of this important problem affecting the well-being and progress of Bihar, his numerous services to the province of his adoption cannot, and should not, be forgotten by any Biharee, and least of all by me His scholarship and erudition, legal acumen, and forensic skill, devotion to public duty, and, above all, his unimpeachable character will long be recalled in Bihar with appreciation. During their long administrative association with the Bengalees, the Biharees learnt much in public affairs and activities from a number of Bengalees settled in Bihar, and of these Guru Prasad Sen was beyond all doubt the most prominent.

His memory is, as such, still held in high esteem and regard in Bihar, and his name and fame are the cherished possession of all who live in that province.



THE BROTHERS:—BISHESHWAR SINGH (1849-99) AND SALIGRAM SINGH (1852-1905)

Though it is many years since the brothers—Bisheshwar Singh and Saligram Singh—passed away, the former in the last year of the nineteenth century, and the latter in 1905, their names are still justly held in esteem, in Bihar, as the founders of a flourishing educational institution, the Bihar National College, at Patna. Bisheshwar was born in 1849, and Saligram in 1852, at a village in the Shahabad district, not far from Arrah, the headquarters of the district. Their father, a respectable *Zamindar* (landlord), had helped the British Government in the dark days of the Mutiny of 1857. His loyalty was rewarded by the grant of a fairly large *zamindari* (landed estate), and a certificate of distinction signed by Queen Victoria. The brothers were first placed in the Arrah Zillah School, but after a few years they joined the Collegiate School, at Patna. Here they passed the Entrance (Matriculation) examination, and after passing the First Arts (or Intermediate) examination from the Patna College, they joined the Presidency College, Calcutta. Bisheshwar left his studies, without graduating himself, passed the District Court Law examination,

and joined the Patna Bar. He spent the rest of his life there, occupying a high position in public life. Saligram graduated in 1874, and joined the Law College, in Calcutta. He obtained his degree in Law, in 1877, and joined the Calcutta High Court Bar.

Saligram was successful in the profession, as he had a sound knowledge of law, and a persuasive eloquence. Apart from his ability, his cheery disposition, and charming manners, were also conducive to his success. In a short time he had attained a leading position at the Calcutta Bar. Sir Lawrence Jenkins, the then Chief Justice of the Calcutta High Court, paid a glowing tribute to his memory, while unveiling his portrait a few years after his death. In the course of his remarks, on that occasion, he said : "Mr. Saligram Singh was a fine type of Bihar manhood, of commanding presence, of kindly temperament, gifted with a rich fund of strong common-sense, and above all guided by an integrity of purpose that assured to him the confidence of those before whom it was his duty to plead, and the respect of those to whom he was opposed. He was one of those happy persons in whom the carping spirit of envy could strike no root, and his generous outlook endeared him to all with whom he came into contact." Coming from a Chief Justice of the commanding position of Sir Lawrence Jenkins, there could be no higher praise.

Saligram Singh was elected a member of the Legislative Council of the province of Bengal, Bihar and Orissa ; and earned laurels as a legislator. He served in that capacity for two years, 1897-99, as the representative of the municipalities of the Patna division, and for a second term he was nominated, a member of the Council, as the representative of the Bihar Landholders' Association. He served on Select Committees in connexion with some important measures, and played an important part in the work of the Legislature. A few days after his death, Sir Andrew Fraser, the then Lieutenant Governor of West Bengal, Bihar and Orissa, delivered a notable address, in the course of which he said : "I personally knew him and highly valued him. He never spoke without having something to say that was worth hearing, and likely to throw light on the subject under discussion. He was an able lawyer, and invariably courteous, considerate, and tactful. His intimacy with me led me to appreciate very highly his broad views, wide sympathy, and genial character. He was honest, and independent, and desirous to render assistance to the Government, and advance the interests of the people. I had frequently had to consult him, and I always felt that I received from him the best advice in view of the interests (sometimes conflicting) in the matter under consideration at the time. I specially

valued the advice and assistance, which he was rendering to me in regard to legislation affecting the relations between the landlords and the tenants, as he understood well the interests of both the parties. The advice which he was able to give me was, therefore, of great value." What higher praise than this of a public man, at that time ?

Not less flattering was the testimony to Saligram's high character and sterling worth borne by one of the greatest leaders of the Calcutta Bar, Mr. W. C. Bonnerji, the President of the first (1885) session of the Indian National Congress. In the course of a letter to a friend he wrote : "Saligram Singh was a very good man, a sincere friend, and an ardent patriot, besides being a capable lawyer, and a thorough man of business. I knew him well, esteemed him highly, and relied greatly on him in all matters connected with our Congress movement. His practical advice and suggestions, and wise counsel, were of great assistance to me, and I am indeed sorry more than I can express in words that he is no more. The province of Bihar is apparently poorer by his death." Saligram, and his brother, Bisheshwar Singh, formed the first batch of delegates from Bihar to join the session of the Indian National Congress, held in Calcutta, in 1886. Throughout his life he devotedly worked as a Congressman, a fact to which Mr. Bonnerji

had borne emphatic testimony in the extract from his letter, reproduced above. Undoubtedly Saligram had a distinguished public career, but equally noble was his private life. Whosoever came in contact with him could not but hold him in esteem and regard. His private charity was considerable, but unostentatious. His hospitable table was ever open, at his Calcutta house, to one and all. A country can be well proud of a man of such exemplary character—a capable lawyer, useful legislator, great educationist, and ardent patriot, all combined in one.

Saligram Singh was also an enthusiast as an educationist. In conjunction with his elder brother, Bisheshwar Singh, he founded the Bihar National College, at Patna; and its establishment was the best proof of the exceptionally valuable services they rendered to the cause of higher education in Bihar. This college had long since become a recognised institution in the capital of Bihar, and the success which it had achieved is mainly attributable to the untiring industry and fostering care of the brother-founders. As a Fellow of the Calcutta University, Saligram took an active interest in the proceedings of the Senate, and did his best to secure lasting benefit to the students. He was for several years an elected member of the Syndicate, where he represented the Faculty of Law and Arts.

BISHESHWAR SINGH & SALIGRAM SINGH

Though Bisheshwar Singh did not occupy as high a position in the profession as did Saligram, he nevertheless occupied in the public life of Bihar an even higher place than did his younger brother, since the latter stayed in far-off Calcutta, while Bisheshwar lived at Patna, in the thick of Bihar public affairs. For years he was one of the acknowledged leaders of the Biharees. But his greatest contribution to the educational progress was his assiduous fostering of the educational institution founded by him, and his brother, at Patna, and which still flourishes as the Bihar National College. It is to this great institution that Bihar largely owes its educational progress amongst the poorer middle classes. And so long as it exists, Bihar will continue to cherish in respect and regard the memory of Bisheshwar Singh and his brother, Saligram Singh, for their public spirit and patriotism.

PRAMATHA NATH BOSE—THE GEOLOGIST

(1855—1934)

Pramatha Nath Bose, who was generally known as "the Geologist of Ranchi"—since he had built a large house and settled down at Ranchi (in Bihar) after his retirement from Government service, in 1903—was a great friend of mine, and we used to meet almost daily during the six years, from 1921 to 1926, when I had to stay (as a member of the Bihar and Orissa Government) at the summer headquarters of the Local Government. Born in 1855, he had taken British degrees, with high distinction, in Science, and was for many years in the service of the Government of India, in the Geological Department, in which capacity he enriched with his valuable contributions the *Record of the Geological Survey of India*. The country lost in his death, in 1934, a great scientist, a distinguished scholar, and a pioneer of the industrial movement, particularly in the advancement of technical education. He was a notable example of the harmonious blending of Eastern and Western cultures. As a young man he wrote an excellent *History of Hindu Civilization under British Rule*, which brought him fame, as a scholar who interpreted to the West the great-

ness of India. It secured for him European reputation. His work in the Geological Department also was of great value and importance. But (during the Viceroyalty of Lord Curzon) his claim by promotion, as the head of the Geological Survey, was either overlooked, or passed over, evidently on the ground of his being an Indian, and so he resigned his post in 1903, as a protest against his supersession on racial grounds, since which time he lived permanently at Ranchi, and published, from time to time, a number of useful and informative books on various aspects of Indian culture and civilization, and made valuable contributions to the *Hindustan Review*, since I founded it in 1900.

II.

But the most notable event in Bose's career transpired after his severance of connexion with Government service, when he began to work as the geologist of the Mayurbhanj State, in Orissa. In the course of his work, he lighted upon the rich and extensive iron ore deposits at Gorumahisani, and described them in the *Records of the Geological Survey of India*. To compare small things with great, it was really Bose who discovered them, in the sense that Amerigo Vespucci discovered the continent, which is called after him as America. All that Amerigo (and Columbus, a few years before him)

did was to bring the continent to the notice of the Europeans. Similarly, the iron ores of Mayurbhanj had long been worked by the smelters of that State, before Bose came upon them. All that he did was to make them known to the industrial public, and but for his having done so, there would have been no Tata Iron and Steel Company's works at Jamshedpur—the greatest industrial concern in the India of today.

As this most important fact in the career of Bose has not unoften been overlooked by some writers, on the subject, who have given credit for his discovery to American scientists, I may quote, in the interest of truth, the declaration of so unimpeachable an authority as Sir Lewis Fermor—long the Director of the Geological Survey of India—made by him at the ceremony of unveiling the bust of Bose, before a representative gathering, at Jamshedpur, in March, 1938. Said Sir Lewis: "Mr. Bose discovered the Gorumahisani iron ore deposits in 1904, and the result of this discovery led to the establishment of the iron and steel industry at Jamshedpur. There is no doubt that in making timely discovery Mr. Bose prevented the site of the works being established in a wrong place, from the operating point of view. Therefore, the Tata Company must be always grateful to him, and it seems to me appropriate that his bust should be

placed at a central site, in Jamshedpur, as it was due to his discovery of rich iron ore deposits that the establishment of the steel works on its present site was made possible." On the same occasion, Mr. (now Sir) Ardeshir Dalal, the chief representative of the Tatas, confirmed Sir Lewis Fermor's statement, quoted above, in the following terms: "But for the discovery by the late Mr. Bose of the extensive iron ore deposits at Gorumahisani, the Steel Works, at Jamshedpur, would have been situated today at a place much farther removed from the coalfields, and the port of Calcutta." These unequivocal declarations place beyond doubt the claim of Bose as the discoverer of the most suitable site, from the point of view of operation, for the largest Indian concern for the manufacture of iron and steel in this country, on the most modern scientific lines.

But just when Bose was exploring the suitability of sites for obtaining iron ores, the greatest Indian captain of industry, Jamshedji Tata—with highly commendable enterprise—was also investigating the problem of the supply of iron ores of the country, with a view to work them on a large scale by means of modern methods; and Bose lost no time in recommending the Mayurbhanj ores to him. In his letter to Tata, Bose pointed out their richness, enormous extent, and proximity to the great coalfields of Bihar and Bengal. The ores of the Raipur district

(in the Central Provinces) on which Tata's prospectors were engaged at the time, Bose said, in his letter, had been found unsuitable, and reported upon by him as such in the *Records of the Geological Survey of India*. Being well acquainted with them, and also with the other ore areas of the Central Provinces, Bose stated, in his letter, that he was in a position to declare emphatically in favour of the Mayurbhanj deposits, which had the great advantage of being situated near large and suitable coalfields. Tata died in 1904, shortly after the receipt of Bose's letter. But his sons took up the matter, in right earnest, and sent agents to conduct preliminary negotiations in the Mayurbhanj State. One of these was Saklatvalla, who subsequently became a member of the House of Commons, as a Communist representative. Another was Padshah, a very versatile man, and a highly successful agent. He was a professor whom Tata had engaged as his Secretary, and he rendered valuable service to the Tatas. There was also the American expert, Perin, who was deputed with Bose. So far as the Maharaja of Mayurbhanj was concerned, he naturally left the settlement of the terms and conditions, which led to the foundation of the Tata Iron and Steel Company, to Bose, who so well managed matters that they might be advantageous to the latter as well as to the Orissa State in question. Considering that the

proposed steel works were to be a new industrial venture for India, Bose readily adopted the suggestion of Perin, one of the most level-headed business men, to fix the royalty on a sliding scale, which opened an interesting chapter in the iron industry of India, on modern methods.

III.

Bose told me that he was rather nettled by the prospectus of the Tata Iron and Steel Company, which was published in 1907, and which was likely to create the impression that the discovery of "very large deposits of high grade iron ore in proximity to coal of suitable character" was made in the course of the prospecting operations instituted by Jamshedji Tata. As, from what has been said above, this statement was evidently at variance with facts, Bose wrote to Padshah protesting against it. Padshah replied to him as follows: "Navasari Building, Bombay, July 3, 1907.—Dear Mr. Bose, Your statement of facts is perfectly correct, and I shall bear it in mind when we come to the publishing of a final prospectus. In a commercial document one is not always able to reserve place for giving due credit to everyone, but it is perfectly fair that the document should not be so worded as to imply that credit lay elsewhere than where it is due." There Bose let the matter rest for ever, confident that in the fulness of

time the credit due to him for his discovery would be given to him. And it *was* given by Sir Lewis Fermor and Mr. Dalal, as quoted above.

After his retirement Bose settled down at Ranchi, where he continued to take an interest in scientific studies and pursuits, and also started writing a book on the *History of Civilization*, which he did not live to complete. He also realized the necessity of India doing something in the way of technical education, and it was due to him that the Bengal Technical Institute was formed, in Calcutta, of which he was for some years the first Rector. He was life-long member of the Asiatic Society of Bengal, and in 1884 when that Society celebrated its hundredth birthday, on which occasion it published a centenary volume, recording the activities of the Society during the first century of its existence, the science section of that record was entrusted to Bose, which he surveyed in a graphic sketch. This was discovered fifty years later, in 1934, when the 150th anniversary of the foundation of the Society was celebrated. It was remarkable that Bose, who had written the account of the science section for the centenary volume, in 1884, was alive in 1934, when the second celebration took place. Unfortunately, he died later, in the same year at the advanced age of about eighty. The foundation of the Tata Iron

and Steel Company—apart from having contributed substantially to the production of iron and steel in India, and thereby created a highly important industry—had immensely furthered the cause of technical and scientific education in the country. When it was started it provided employment for good many of the students of the Bengal Technical Institute. The number of students who had received technological education in India had vastly increased since, and I do not know of any single industrial concern which had absorbed so many of them as the Tata Iron and Steel Company.

IV.

When in the fulness of time the history of modern India's contribution to the development and expansion of scientific knowledge comes to be recorded, the name of Pramatha Nath Bose, "the Geologist," will figure in the galaxy of great Indian scientists, and take its rightful place with those of such great distinction and eminence as Srinivasan Ramanujan (1887-1920)—the mathematical genius, who was the first Indian to achieve, in 1918, the signal honour of obtaining the F. R. S.; Jagdish Bose (1858-1938)—world-renowned biologist; Venkata Raman—the physicist of internationl repute, who received the crowning glory of his life, the Nobel prize, in 1930, for achievements in Physics; Profulla

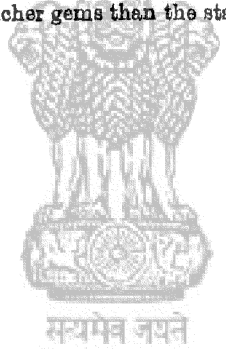
Chandra Ray (1861—) and Shanti Swarup Bhatnagar—both chemists of international fame ; and last but not least, Bhabha—the 34 years old Fellow of the Royal Society. Ramanujan's distinguished achievements in Mathematics are recorded in his biography written by his discoverer, Professor G. H. Hardy, Sadleirian Professor of Pure Mathematics at Cambridge ; while those of Jagdish Bose in biological research are set out in the survey of his life and career by Professor Geddes, and are summed up in the now well-known phrase "response in living and non-living." Sir Michael Sadler described Jagdish Bose as "a poet amongst biologists," and added that had "Shelley gone on with science, and lived in the days of exact measurements, he might have shared in his (Jagdish Bose's) work." Venkata Raman's name is justly associated with the discovery of the "Raman Effect," and it is now a household term in modern Physics. In the realm of Chemistry Profulla Ray and Shanti Swarup Bhatnagar have made valuable contributions to pure and industrial branches of that science respectively, which have brought them international renown, while Bhabha—the youngest Indian scientist—is likely to win great distinction in Physics.

The work, however, of these great Indian scientists, while solid, has not been spectacular like

that of Pramatha Nath Bose. Of all the Indian scientists, it is his work alone which has been at once solid and spectacular. As a result of his discovery two lonely and forlorn, but almost contiguous, village hamlets, situated in a wilderness (in the Singhbhoom district of Bihar), had long since developed on an extensive scale—the one into the thriving Tatanagar station on the Bengal-Nagpur Railway, and the other into the now famous and highly flourishing industrial town of Jamshedpur, with a population of over one hundred thousand—the second largest city in Bihar, after Patna, the capital of the Province; and the centre of the largest iron and steel industry in Asia—a town designed on modern scientific lines in town-planning, and equipped with all the latest amenities of civilized life for not only the large staff employed by the Tatas, but even for the so much larger number of workers in this huge industrial concern. And so Jamshedpur—where stands the bust of Pramatha Nath Bose, in a central place—shall keep alive his memory as a great scientist-discoverer. I recall very pleasant memories of my visits to Jamshedpur, which is the most cosmopolitan Indian city I know of—even more so than the Presidency towns, where people belonging to various castes and creeds, from all parts of this vast country, cooperate with Europeans and Americans in a common

cause, the success and prosperity of the Tata Iron and Steel Company. As a friend and admirer of Pramatha Nath Bose—whose memory I cherish for much kindness which I received from him—I am glad to have been able to record in this sketch the facts redounding to his credit as a great scientist and discoverer. Verily, it could be appositely said of Pramatha Nath Bose :

Deeper, deeper, let us toil in the mines of knowledge,
Nature's wealth and learning's spoil, win from school and college;
Delve we there for richer gems than the stars of diadems.



MAHARAJA SIR LAKSHMESHWAR SINGH OF DARBHANGA
(1858—1898)

Some of the proprietors of the largest and most important landed estate in Bihar, popularly known as the Darbhanga Raj, have naturally played an important part in public affairs of not only the province of Bihar, but also of Bengal, and I have had the privilege of knowing the last three of them more or less intimately. During the minority of Maharaja Sir Lakshmeshwar Singh, who was born in 1858, the estate was under the Court of Wards, for a long time. When he attained majority, in 1879, it was released from the management of the Court, and he was put into possession of it, and duly installed as its proprietor. He died prematurely at the age of forty, in 1898, and was succeeded by his younger brother, the late Maharajadhiraja Sir Rameshwar Singh, who died at the advanced age of seventy, in 1929, to be succeeded by his eldest son, the present Maharajadhiraja Sir Kameshwar Singh. Both the brothers were given a liberal education in English, Sanskrit, and the north Indian languages, at the Queen's

College, Benares. They were brought up by private tutors, who were eminent British educationists. Naturally both the brothers were pre-eminently qualified to take part in the public life of the province, and the country.

II.

Lakshmeshwar Singh was a man not only of liberal and progressive views in political sphere, but was also admired for possessing independence and strength of character. He took a very prominent part in the debates, in the old Imperial Legislative Council, on the Bill to regulate the relations between the landlords and the tenants in Bengal and Bihar, which was placed on the statute book, in 1885, and is popularly known as the Bengal Tenancy Act, and which, though largely amended since, still governs, both in Bengal and Bihar, the relations of the tenantry with the landlords. Although liberal and progressive, the Maharaja was too much wedded to *zamindary* interests to support the rather drastic legislation, which was proposed by the Government of Lord Ripon, as embodied in Bengal Tenancy Bill, and so he put up a very strenuous fight, and fought, so to say, every inch of ground with the Government spokesmen. This brought him into great prominence in Bengal and Bihar, at that time.

Though a staunch supporter of *zamindary* rights and privileges, Lakshmeshwar Singh fully sympathised with the educated middle classes in their demands for reform in the constitution of the country, and so when the Congress was organised, at its first session, held in Bombay, in December, 1885, he openly expressed his sympathy with it, which indicated in no small a measure his innate independence. But his sympathy with the Congress did not extend merely to an expression of lip-sympathy in support of it; and from the year it was started, he made it a rule to present a sum of Rs. 10,000 to the late Mr. Allen O. Hume, the chief organiser and Secretary of the Congress, from 1886 to 1898—the year in which he (the Maharaja) passed away.

During these years the Congress accounts used to show, as the first item of entry on the side of receipts, a sum of Rs. 10,000 donated by "a friend", in the first week of each year. Though he did not advertise it, his generosity was well known in Congress circles, and was very highly appreciated. The result was that he was immensely popular with educated middle classes, as well. He was thus a keen Congressman, and was the largest individual contributor to Congress funds. When in 1888 Sir Aucland Colvin made it impossible for the Reception Committee, at Allahabad, to obtain a site on which to hold the Congress in that city, Sir

Lakshmeshwar Singh generously came to the rescue of the Committee by placing at its disposal the Darbhanga Castle, with its extensive grounds, which he had just then purchased. He again gave the Castle, and its grounds, to the Congress when it met for the second time at Allahabad, in 1892.

III.

The services rendered by the Maharaja as a member of the old Imperial Legislative Council deserve to be still remembered with gratitude, quite apart from his work about tenancy legislation. In particular, I may commend to students of Indian politics his magnificent speech on the Sedition Bill—the present section 124-A of the Indian Penal Code—a pronouncement which will be found to be instructive even after this long lapse of time. His death at the early age of forty, was widely mourned, and nowhere more than by the Indian National Congress, which paid a worthy tribute to his honoured memory, in a special resolution moved by the President of the year, the patriot and eloquent orator, Mr. Ananda Mohan Bose. It cannot be doubted that the Maharaja's premature death was a great and a distinct loss to useful public activities in Bihar and Bengal. The memorial meeting held in Calcutta, which was presided over by the then Lieutenant-Governor of the province, was a notable and fully

representative gathering of all classes of the people, at which glowing eulogies were justly bestowed upon his career and worth, as a noted publicman, both by British and Indian speakers. But the marble statue, in sitting posture, put up a few years later at a corner of the Dalhousie Square, in Calcutta, is a poor and unworthy memorial of this great patriot, and I have never ceased regretting that his native province of Bihar does not possess any memorial, worth the name, to commemorate the great and good work done by this distinguished Biharee, in various spheres of public activities, as a statesman, philanthropist, legislator, and public leader.

MAHESH NARAYAN
(1859—1907)

The present generation of Biharees are so self-centred that they have practically lost all recollection of Mahesh Narayan, who, born in 1859, died suddenly in 1907, at the comparatively early age of forty-eight. But it is indisputable that for a quarter of a century his personality loomed large as a distinguished publicist in the public life of Bihar, and there had been scarcely any political movement in the province during the last twenty-five years of his life, the motive power to which had not been supplied by him. Almost all public activity during that period owed not only its inception, but its development, to his labours. Most unostentatious in his habits, a confirmed recluse, averse to appearance in public, undemonstrative in his attitude, and with a complete horror of self-advertisement—that crying sin of modern India—Mahesh Narayan was pre-eminently a man of ideals, even more than a man of action. And the ideal which he fully shared with me, and diligently placed before his fellow-countrymen, in Bihar—in his capacity as a journalist—was to the effect that it was their bounden duty to advance first and foremost the cause of the province

and its people, while sharing jointly with the people of the other Indian provinces the responsibilities that devolved upon educated Indians, in general.

II.

Mahesh Narayan and I thus strenuously urged the development, in the first instance, of what the late Lord Balfour had happily called "subordinate patriotism," akin to what all Scotchmen as such feel for Scotland, while sharing in a common patriotism (with the English and the Welsh) as Britons; and, in the second place, we urged that Biharees should ungrudgingly co-operate with the Indians of the other provinces in pursuit of common aims and aspirations. Our common ideal was thus based on the lines of American patriotism—first the State, and secondly, the Republic, or of that found in the other federal states of America or Europe. The United States of America, though one political administration for some purposes, is nevertheless divided into fifty separate states—each with its own laws and special systems; and yet, they are one political unit, and perhaps the most advanced type of democracy. It is not possible in India to evolve, at least for a very long time to come, a nation of the unitary type. All we can hope under existing conditions is to form different nationalities based not on communal but linguistic, and territorial considerations, yet bound

politically with the people of the other provinces for the purpose of the general advancement of the country, as a whole. This Mahesh Narayan and I believed to be the truest doctrine of Indian political philosophy, and we urged upon the Hindus, and Mussalmans in Bihar to feel as members of a common nationality as "Biharees." Mahesh Narayan is thus entitled to our gratitude for the consolidation he was able to effect between the two great communities in Bihar, through the medium of the various journals he so ably conducted for a long series of years, until his premature death in 1907.

Readers of Bryce's *American Commonwealth* are no doubt aware that there exists in the United States a strong state patriotism, which subsists side by side with federal patriotism. This was precisely our ideal, but it was unfortunately not at all appreciated in Bengal—then the predominant partner in the then Lower Provinces—as its practical effect was the setting up of the now well-known cry of "Bihar for the Biharees." In some other provinces, too, this ideal was regarded by some as "anti-national," but such a view was not at all well-founded. As a matter of fact, the intense excitement, some years later on Bengal having been sundered by the Curzonian partition (under which scheme two-thirds of the Bengalees shared, as its result, a common administration with the Assamese, and the

remaining one-third with the Biharees and the Oriyas) conclusively established that our ideal of linguistic provinces in India based on a common language, and also on historic traditions and territorial patriotism, was absolutely right.

III.

Mahesh Narayan stuck fast to it with singular tenacity, and worked for it all his life, through good and evil report, with the result that though he did not live to see the constitution of Bihar as a separate province, he saw his life's mission practically fulfilled, and he died after having inoculated the rising generation in Bihar with the ideal of a separate administration for their native province. Thus he was for years the most commanding personality in Bihar, and his premature death was an irreparable misfortune to his province. To appreciate fully how he struck his distinguished contemporaries, it would be necessary to recall briefly what the leading men of Bihar thought of him. Sir Ali Imam declared that "if in Bihar the sacred fire of patriotism had been kindled, the man who did it was certainly Mahesh Narayan"; while Mr. Hasan Imam regarded him as "the father of public opinion in Bihar." These tributes from two of the greatest Biharees of our generation were fitting, just, and well-deserved. Indeed,

Mahesh Narayan was a man with a mission Flung into life at a very young age among a people then politically inert and socially dormant, a people who had lost all self-confidence, and were content to remain a mere appendage to their more intellectual neighbours of Bengal, he commenced his career as a public man with no friend but his ideal of serving the people, and no fortune but his intense and sincere patriotism. He rushed into the lists where rank and vested interests had arrayed themselves; and fearlessly expounded his mission till he fairly achieved success.

I yield to none in my sympathies for true Indian nationalism, and have always regarded myself as a staunch Indian nationalist. I attended the National Congress so far back as 1888, when its fourth session was held at Allahabad, though being but a student at the time I was not allowed to go as a delegate, which I very much wanted to do. But since 1896, I was prominently connected with that movement in various capacities, until it embarked on civil disobedience, in 1920. But I have never felt that there was any conflict between the two ideals of "Bihar for the Biharees," and of a free India. On the contrary, I have always felt that the latter pre-supposed the former, since the only type of nationality which could be evolved in so extensive and diversified a region as India would be that

known as federal, and which prevails in most of the States of the world with composite populations. The United States of America, Canada, Australia and South Africa—to confine oneself to those within the British Commonwealth itself, or which appertained to it at one time—are striking instances of it. Except in countries of small areas and populations it is not possible to evolve and maintain nationality of what might be called the unitary, as opposed to the federal, type. The constitutions of the Latin American republics of Central and South America, as also of Germany, clearly indicate the trend of movements making for nationality in modern states. And last but not least the Government of Britain itself may slowly be resolved into the federal type, as the success of the Irish Home Rule movement is being followed by similar demands for Scotland and Wales—possibly feeble, at present, but likely to become clamourous, in due course.

If all this is an indication of the trend of forces bearing on the rise and development of nationality in modern States, it would be idle to expect that Indian nationality can be anything but federal. This was practically stated in so many words in the memorable paragraph 3 of the Government of India's famous despatch of August 1911, and it was in fact, the key-note of the scheme formulated

therein for the re-constitution of the provinces of Bengal and Bihar. The same principle has been followed since by the formation of separate provincial administrations for Orissa and Sind. Other tracts are now demanding reconstituted administrations on linguistic basis, and the Congress divisions, for their jurisdictional purposes, have been long since constituted on the same principle.

IV.

Two very distinguished British statesmen—curiously both staunch Conservatives—years back lucidly expounded this ideal of subordinate patriotism or of composite nationality—unitary for certain purposes, and federal for some others. Writing so far back as April, 1907, on the Colonial Conference of that year, the late Lord Milner said:—"Every German is familiar with the idea of a narrower and a wider fatherland. He is a patriotic Prussian, Saxon, or Bavarian, but he is a German to boot. I can see no greater difficulty for any subject of the British Crown in feeling a similar double allegiance—allegiance to his own country and allegiance to the British Empire, as a whole." Again, the late Lord Balfour went even further than Lord Milner in his exposition of a double allegiance. In fact, his views embodied a doctrine of triple or quadruple allegiance. He clearly stated his views on this subject

in an article on "Nationality and Home Rule," as follows:—"Patriotism need have no exclusive application. It may embrace a great deal more than a man's country, or a man's race. It may embrace a great deal less. And these various patriotisms need not be, and should not be, mutually exclusive. As civilization advances, it becomes more and more necessary for men to learn how they are to be combined without being weakened, how a narrow provincialism is to be avoided, on the one side, and a selfish indifference masquerading under the name of enlightened cosmopolitanism to be shunned, on the other. As a matter of fact some combination of different patriotisms is almost universal among thinking persons. If I consider the case I know best (namely, my own) I find that within a general regard for mankind, which I hope is not absent nor weak, I am moved by a feeling especially patriotic in its character, for the group of nations who are the authors and the guardians of western civilization, for the sub-group which speaks the English language, and whose laws and institutions are rooted in British history, for the communities which compose the British Empire, for Britain of which I am a citizen, and for Scotland where I was born, where I live and where my fathers lived before me. Where patriotisms such as these are not forced into

conflict, they are not only consistent with each other, but they may mutually reinforce each other, and statesmanship can have greater object than to make conflict between them impossible."

This is putting the case at the best for the Indian nationality of the future, and the right lines on which to direct its evolution. This then was the *raison-d'-etre* of the "Bihar for the Biharees" movement. Writing, in 1942, after three decades since the formation of Bihar as a separate province, in 1912, an ex-President of the Congress (Dr. Rajendra Prasad) expressed his views on this subject as follows ;—"Mr. Sachchidananda Sinha was among those who started the movement for the creation of a separate province of Bihar. It was much misunderstood at the time, and was looked upon as one for securing the loaves and fishes of office for Biharees. But those who entered into the spirit knew—and the events that have happened since have shown—that it was necessary for the self-expression of Bihar. The idea was accepted by the Congress, and is now being gradually given effect to by the Government also. Bihar was created as a separate province in 1912, and Orissa and Sind were similarly constituted administrative units in 1936." There is scarcely any stauncher Indian nationalist than Dr. Rajendra Prasad, and it is highly gratifying to me to find, in my old age, the ideal of my youth, to the achieve-

ment of which I devoted much time, energy and money, not only become long since an accomplished fact, but approved as sound and desirable by a President of the Congress—the methods of the new school of which are so different from those of the old Congress, to which I had pledged adherence. And it is because Mahesh Narayan, of all my contemporaries, helped me most in the attainment of our common ideal, and in the furtherance of the object of securing for Bihar an individuality of its own amongst Indian nationalities, that I have placed on record this tribute to the memory of that great patriot and very capable publicist.

MAHARAJADHIRAJ SIR RAMESHWAR SINGH
(1860—1929)

Sir Rameshwar Singh, the younger brother of Maharaja Sir Lakshmeshwar Singh, was the first member of the family to be created hereditary Maharajadhiraj of Darbhanga. He was born in 1860, and died in 1929, in his seventieth year. He was well educated at home, and later at the Queen's College, Benares, and was highly proficient in English, Sanskrit, and the Upper Indian languages. Soon after his attaining majority, in 1878, he was nominated to the then newly-constituted Statutory Civil Service, from which he resigned, after serving as a Magistrate for some years. In 1886, he was made a Raja Bahadur. In 1898, he succeeded his elder brother as the Maharaja of Darbhanga. In 1905 he was appointed a member of the Police Reform Commission, which had been appointed by Lord Curzon, under the presidentship of Sir Andrew Fraser, then the Chief Commissioner of the Central Provinces, and later the Lieutenant-Governor of Bihar, West Bengal, and Orissa. The Maharajadhiraj was the only non-official Indian member of that Commission, and in that capacity he wrote a famous note of dissent (appended to the Report) in which he strongly

advocated the complete separation of judicial and executive functions in the administration of justice. But this much-needed reform—which was urged by the first session of the Indian National Congress, in 1885—was not carried out even by the Congress ministries, when they were in power, in 1937-39.

The Maharaja was intimately connected with various activities and institutions in the country. For years he was President of the British Indian Association, in Calcutta, and held a similar position in the Bengal Landholders' Association, and also in the Bengal Landholders' Association, at Patna. He was also deeply interested in the industrial revival of India, and had a large interest in several mills, in recognition of which he was elected, in 1909, to preside over the Lahore Session of the Industrial Conference. It would be seen from this brief record of the educational attainments, public activities, and varied experiences, of the Maharaja, that by the time Bihar and Orissa were separated from West Bengal, in 1912, and formed into a separate province, there was no one amongst the landed dignitaries to be a successful competitor with him for such a public honour, as appointment as a Member of Government of his native province.

II.

Accordingly, in 1912, on the constitution of Bihar and Orissa as a separate administration, the

Maharaja was the first non-official Indian to be appointed member of the Local Government, as an Executive Councillor, and he put in his full term of five years, retiring in 1917. In the pre-Morley-Minto reform days, (that is before 1910) he was on more than one occasion elected to the Imperial Legislative Council, and he was also returned to the Council of State on the inauguration of the Montagu-Chelmsford scheme, in 1920. He had thus considerable knowledge and experience of public affairs, in which he took part, for a long series of years, and which stood him in good stead in his work as a public man. Immensely wealthy, intelligent, cultured, shrewd, tactful, and with considerable business capacity, Maharaja Rameshwar Singh was naturally conspicuous in various spheres of activities—political, industrial and economic. He also occupied a position amongst the orthodox Hindus of a religious leader.

Ever since he succeeded to his elder brother, as the owner of the Darbhanga estate, the Maharaja had also taken the lead in organising the landlords of his province, and, to some extent, of other provinces, as well. His public activities were thus many and varied, and these were supported, in many instances, by generous donations for religious and educational purposes. Sir Rameshwar Singh, proved himself not only a *Zamindar* of great

capacity, but also a shrewd businessman, and during the more than thirty years that he was in possession of the Darbhanga estate, he managed to add considerably to its income, with the result that when he passed away he left a much larger heritage to his son than he had received from his elder brother. But there was also another side to the picture. If the possession of a large landed estate of almost 2,500 square miles in extent, with an annual rental of over fifty lakhs of rupees, and of many distinctions and honours conferred on him by Government in the way of medals, letters, and words, including the hereditary title of Maharajadhiraja, to say nothing of his large income from private banking, could conduce to human happiness, it should have been certainly available in the case of Sir Rameshwar Singh; but unfortunately, I seldom found him happy, and he had generally far too many worries compared with others not so well circumstanced as he.

III.

The famous English historian, James Anthony Froude, in his brilliant sketch of Benjamin Disraeli—the baptised Jew Prime Minister of Britain—emphasised justly how hard a task it was for a biographer to sum up the character of any contemporary public man. Perhaps a just estimate may be found in contemporary public opinion, as

expressed through the medium of the press. Accordingly, I shall quote two estimates of the Maharajadhiraj which appeared as his obituary notices—one in a prominent Anglo-Indian daily, and the other in a leading Indian daily. I shall first quote the estimate and appreciation of Sir Rameshwar Singh which appeared in the *Statesman* soon after his death. Wrote that journal :—"The late Maharaja of Darbhanga was a man of very great ability, who served for some years in the Statutory Civil Service. For more than a generation he was the leading *zamindar* in Bihar, and was the outstanding representative of the landed dignitaries of India, as distinct from the territorial princes. In his later years he was also looked upon as a leading exponent of the Hindu religion. As a *zamindar* he was, to put it mildly, neither generous nor enlightened, although in this respect he merely carried on a bad Bihar tradition. A portion of his vast wealth was also invested in commercial and industrial enterprises, which were not always successful. His position inevitably marked him out as a protagonist of the landholding class, and he served for five years as a member of the Bihar Government. On the whole, his influence—so far as his public activities were concerned—was cast on the side of law, order, and privilege. But his chief claim to notice was that he was the richest man in Bengal and Bihar.

In disposition he was reserved, but not unkindly, and he had a sense of humour."

I shall now quote what that distinguished Indian journalist—the late Mr. (afterwards Sir) C. Y. Chintamani—famous as the brilliant editor of the *Leader*, wrote in his paper on the same subject :— "Maharaja Sir Rameshwar Singh was of a somewhat different type, (from his elder brother). He did not lack ability, nor interest in public affairs, while opportunities of service and distinction came to him in abundance. We do not think that he was exactly a reactionary in politics, but his caution was excessive; and besides, he was too much devoted to the sectional interest of his own class of *zamindars* ever to do adequate justice to the general national interests of the country, as a whole. His career as a member of the Bihar Government was wholly uneventful. In fact, he gave to propaganda in the cause of Hindu orthodoxy the time and energy that should have been devoted to his duties as a member of the Executive Council. Even more than the safeguarding of the privileged position of his class, what was nearest to his heart was unbending opposition to every movement of Hindu social reform. The late Maharajadhiraj was an able and esteemable man, who was very active in certain matters of public interest, but the opinions he espoused, and the direction he gave to his activities

were such that it is at least doubtful if his name will be remembered by posterity as a great public man. But his princely benefaction to Calcutta University will always be remembered with gratitude. We must mention, too, his interest in the cause of the Hindu University, when he toured a large part of the country to secure money for it." These two estimates—one from a leading Anglo-Indian journal, and the other from an equally leading organ of Indian public opinion—supplement each other, and may well convey to the reader a fair estimate of the work and worth of Maharajadhiraj Sir Rameshwar Singh, in the various capacities in which he served the country.

SIVA SANKAR SAHAY
(1863-1914)

The Bihar correspondent of the *Times of India*, of Bombay—at that time a high official, who was later Governor of Assam—commenting upon the conferment of an honour on Siva Sankar Sahay, wrote in that paper as follows :—"The honourable Rai Siva Sankar Sahay Bahadur, who had received a C. I. E., is Manager of one of the largest *zamindaries*, in Bihar, where he restored order out of financial chaos. He is a leading Biharee public man, and his criticisms of the various Government measures are always stimulating and suggestive." The *Hindustan Review*, of June 1913—which was then, as now, edited by me—wrote in the following strain :—"The Companionship of the Order of the Indian Empire had been bestowed upon him for his valuable services both as a most successful Manager of one of the largest estates, in Bihar, and for his public activities, in general. As a Manager, he has displayed administrative capacity and organising talents, of the highest order, with the result that this once almost bankrupt estate is now perhaps the most flourishing in Bihar, so rich in large estates. The large savings made by him, had enabled the estate

to make to the Tej Narayan Jubilee College, at Bhagalpore, the large and liberal donation of six lakhs, which had placed that institution on a sound financial basis. But his greatest achievement, to our mind, had been the most active part he had taken in promoting and organising the company which owns the only English daily in the province —*The Beharee*. It is but the simplest truth to say that but for his whole-hearted financial support the paper could not have come into existence." These two contemporary testimonies—one by a high British official, and the other by a journalist, give the keynote to the work and worth of a great Biharee administrator and organiser.

Siva Sankar Sahay was born at Bhagalpore, in February, 1863. After obtaining training in Persian and Hindustani, young Siva Sankar was sent to the Bhagalpore Zila School, from where he matriculated in 1881. With the aid of a scholarship, and also tuition fees, he managed to pass the First Examination in Arts. He had not the means to prosecute his studies further, and so he applied himself to the study of law, and passed the Pleadership Examination in 1886. During his law studies, he was a teacher in the Bihar National School, at Patna, (now the Bihar National College), started by the brothers—Bisheshwar Singh, and Saligram Singh. Even in his college days, Siva Sankar was

distinguished for his talents for business. In every mess that he lived he was elected the Secretary, and in every squabble amongst his friends he was chosen the umpire. He towered head and shoulders above his compeers for his quickwittedness, tact, and judgment, and to these traits in his character he owed his prominent position in the public life of the province of Bihar.

II.

Siva Sankar Sahay joined the Bhagalpore Bar in July 1886, and it was in the dusty purleius of law, that he laid the foundation-stone of his future greatness. But the outlook before Siva Sankar was gloomy, the only silver lining being his indomitable will and perseverance. His connexion with the Banaili Raj—then one of the largest in Bihar—began in the year 1887, and from that time till his death, in 1914, the history of his career is the history of the Banaili Raj. He worked as a junior in the big litigation then pending concerning the Raj. Besides the members of the local bar, eminent counsel from Calcutta—Mr. (afterwards Sir) J. T. Woodroffe, Sir Griffith Evans, Messrs. W. C. Bonnerjee and Philip—were ranged on either side. The then famous Advocate-General (Sir Charles Paul) was called as a witness in the case. The suit was for partition of the big family estate. It was tried by the District Judge of Bhagalpore. The case had

created a very great sensation at the time, both in Bihar and Bengal, and quite a fabulous amount of money was spent on it by each side. At last it ended in a compromise decree, and the prolonged litigation came to an end. The one person—out of the many professionally engaged in the case—who emerged with an enhanced reputation was Siva Sankar Sahay. Though the management of the property was to remain joint, under a common manager, in accordance with the terms of the compromise decree, Siva Sankar was permanently retained by one set of the proprietors, who were plaintiffs in the case, as their pleader and legal adviser, in which capacity he displayed conspicuous ability, and organising capacity.

During the Survey and Settlement operations in the Santal Pergannas, in 1898, Siva Sankar was deputed to represent the Banaili Raj (which has extensive properties in that district) and to safeguard its interest. Mr. (afterwards Sir) Hugh McPherson—for some time Acting Governor of Bihar and Orissa—was the Settlement officer. In a letter to the Commissioner of Bhagalpore division, he wrote in the following terms about Siva Sankar Sahay :—"In conclusion I should like to acknowledge the valuable assistance I have received from Siva Sankar Sahay in preparing this amended draft of the record-of-rights; the skill with which he has pressed his clients'

objections, and the fairness with which he has accepted the compromise proposed by me. In this matter I had to represent the Government, and safeguard the interests of the tenants, and also to see that the just rights of the *Zamindars* did not suffer. It must not be supposed, however, that because the latter have had a skilful advocate, the tenants have got less or the landlord more in this amended record-of-rights." The compliment was thoroughly well deserved, as Siva Sankar was not only an authority on the agrarian laws of the province, but a man of consummate tact and conspicuous ability.

In September 1904, on the attainment of majority by his client—the younger Kumar (afterwards Raja Bahadur Kirtyanand Sinha)—Siva Sankar was called upon to take up the management of the big estate, the successful administration of which had brought prosperity to the estate and honours and distinction to himself. The mismanagement by one of the co-proprietors had involved his master's share, in heavy encumbrances. Siva Sankar Sahay, with considerable tact and firmness, secured for his masters, by a judicious handling of the situation, the possession of the entire estate, and managed it with conspicuous success. The first thing he did was to cut down the expenses almost by one-half, and reduce the law charges (by no means an

inconsiderable item) almost to a negligible quantity, by refusing to sanction petty and frivolous litigation. Finally, he put the various departments of the estate under capable officers, and introduced far-reaching reforms, with the result that there was a prosperous tenantry and an ever-growing rent roll. He thus made two blades of grass grow where there grew one before. His work as a successful administrator was highly appreciated throughout Bihar, alike by the people and the Government, as will appear in the sequel. In a few years the income of the estate had increased so largely that the enormous debt with which it was encumbered had been liquidated, and a considerable saving accumulated. This saving he applied to the various improvements—large irrigation works, model farms, and the like. He next made large and liberal grants to various public institutions in the province, the most notable being a donation of rupees six lakhs to the Tej Narayan Jubilee College, at Bhagalpore, and also of one lakh to the Benares Hindu University. In fact there was scarcely a public movement in the Bhagalpore division, in those days, which did not owe its inception, or maintenance, to liberal donations or subscriptions from the Banaili Raj.

III.

In 1909,—on the introduction of the Morley-Minto reforms—Siva Sankar was elected uncontested

to represent the District Boards, of the Bhagalpore division, in the Bengal Legislative Council. As an elected member he at once established a reputation for soundness of views, urged with moderation and ability. Scarcely was there a bill under discussion in the Council which escaped his vigilant scrutiny, or did not benefit from his sober judgment, sound common-sense, mature experience, and legal knowledge. His maiden speech, which was much appreciated, was made in connexion with the Calcutta Police Bill. But by far the greatest stand made by him was in connexion with a highly controversial measure—the Orissa Tenancy Bill. Siva Sankar admirably carried opposition against an unpopular measure, that was subsequently vetoed by the Viceroy, Lord Hardinge, who justly characterised it a hasty piece of legislation, meant for the Government of a province yet unborn, which the Bengal Council could as well have left to the legislature of Bihar and Orissa. The desperate passage at arms, witnessed in the Council Chamber, in connexion with the Bill, is now a thing of the past, but the Bill after having been vetoed by the Viceroy was passed by the Bihar and Orissa Legislative Council, shorn of all its objectionable features, and transformed into a piece of useful agragrian legislation. I may recall with some satisfaction, at this distance of time, that

the original Bill, which had been passed by the Bengal Legislative Council, in 1912, in the teeth of opposition, was vetoed by Lord Hardinge solely at my suggestion—a fact which was commented upon editorially in the *Statesman*, at the time. I did so as a representative of the province in the Imperial Legislative Council.

After the separation of Bihar and Orissa from West Bengal, in 1912, Siva Sankar Sahay, with that political insight which was characteristic of him, saw that a first-class daily was absolutely necessary for 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 daily, and with my fullest co-operation, and the substantial help of the proprietors of the Banaili Raj, he turned the weekly *Beharee* into a daily, which made its first appearance on the day Sir Charles Bayley visited the capital of the province for the first time—the 13th of April, 1912. He also did good work in the interest of higher education as a member of the Patna University Committee. But while much remained to be done by him in the interest of Bihar, he passed away prematurely in October, 1914, at the age of fifty-two. As a public man, as a member of the Bengal, and of the Bihar and Orissa Legislative Councils, he was justly distinguished for his independence, firm grasp of the subject under

discussion, and an uncompromising attitude when a principle was concerned. He was a people's man in the true sense of the term, but he also enjoyed the confidence of the Government, and of his official colleagues. A man of high character, spotless integrity, genuine patriotism, and inflexible public spirit, Siva Sankar Sahay was an exceptionally good example of pure and lofty manhood. Not a Utopian idealist but a practical realist, he found happiness in the work which fell to his lot, and he could justly say of his public career with Wordsworth :—

> Not in Utopia—subterranean fields—
> Or some secreted island, Heaven knows where!
> But in the very world, which is the world
> Of all of us—the place where, in the end,
> We find our happiness, or not at all!

DEVAMITTA DHARMAPALA : THE ASCETIC REFORMER.
(1864—1933)

One of the most interesting personalities, I was privileged to be intimate with, was the saintly Devamitta Dharmapala—a famous religious reformer from Ceylon , but who justly regarded himself as a Biharee also, because of his long and intimate association with the province of Bihar. Born at Colombo in 1864, he died at Benares in 1933, at the advanced age of sixty-nine. A member of a very respectable Singhalese family of Colombo, son of an immensely wealthy father, who was the sole proprietor of a large and flourishing concern dealing in high-class furniture, Dharmapala, at an early age, left home to become a Buddhist ascetic, and spent over fifty years abroad—in India, Europe and America—in advancing the cause of Buddhism, and working for its revival in India. He came to India early in the nineties of the last century, when as a young man of 26, he had already distinguished himself, in Ceylon, by his determined efforts in the cause of Buddhism, and also as an advanced social reformer. He left at that early age all prospects of material advancement, and dedicated himself to the work of propagating Buddhism in the land of

its birth. His visit to India was thus a turning point in his life The neglected condition of the famous Buddhist temple at Buddha-Gaya—where the Master became enlightened—made him organise the Maha-Bodhi Society for the purpose, amongst others, of recovering the temple from the Hindu Mahanth's control. This attempt on his part led to a troubled, and rather tempestuous, chapter in the life of the great worker. There were civil and criminal cases between him and the Mahanth, Dharmapala figuring as complainant or accused, or as plaintiff or defendant, as the case might be; but the decisions in almost all of them went against him. The temple was not recovered; it is still in the Mahanth's custody, and under his control. Dharmapala's moral claim pitted itself against the Mahanth's long possession, if not legal title, was defeated in the law courts. But the struggle, which was a long-drawn one, opened Dharmapala's eyes to new problems and, heroic fighter that he was, he faced them in a courageous manner, highly creditable to him.

Dharmapala sprang into international fame by his addresses, on Buddhism, at the first Parliament of Religions—held in Chicago, in 1893. He then travelled in Europe, and everywhere his personality and persuasive eloquence evoked the highest admiration. By condemning old but unmeaning rites

and practices he made many enemies. But he heeded nothing, except the goal before him. Later he lost the favour of the Government, in this country, and was interned in Calcutta for about six years (1914-1920). But work was life to Dharmapala and as soon as he was set free, he renewed his numerous public activities. He edited half a dozen papers, all of which he himself had established. He wrote articles, gave public lectures, and attended to a voluminous correspondence with his many friends in three continents. He was imbued with progressive ideas, and a knowledge of the modern sciences was regarded by him as an essential requisite for a cultured man. He sent some young men to Japan for training in industrial arts, and was thus a pioneer in this then neglected field, both in India and Ceylon. It is by no means surprising that his strenuous activities and advanced ideas should have provoked a fairly large section of the public into opposition. He had to fight incessantly, but he had the soldier's reward at the end. He won, in the end; and to-day his name has passed into a legend, and Ceylon reads into it a profound significance in the annals of her national life.

II.

But while working in India Dharmapala did not sever his connexion with his native land, and continued to play the role of a social reformer in

Ceylon. To mention but a few of his activities: the practice of assuming European names, dress, customs and manners, and even speech, by the Singhalese, was in vogue amongst the middle classes in Dharmapala's time. The Singhalese language also was studiouly avoided by the Ceylonese, by reason of their inferiority complex. Dharmapala himself had been named Don David, which he dropped, becoming known thereafter as Dharmapala. He was also largely responsible for the use of *sari*, by Singhalese ladies, in preference to European costume, which was fashionable at that time. Apart from these, he worked systematically for the revival of the ancient culture of Ceylon, although there was much opposition to his patriotic endeavours, the more so as he was no respector of persons, and denounced in scathing terms what he disapproved. This sometimes alienated his friends who resented his open criticism of their conduct. But gradually they not only appreciated his sincerity, and learnt to admire it, but ultimately came round, adopted his views, and acted up to them.

Dharmapala carried on, both in Ceylon and India, a systematic campaign for the cultural renaissance of the country, which (in his opinion) was intimately associated with the revival of Buddhism, a cause to which he had dedicated his life. To carry out his objects, Dharmapala founded

numerous institutions. They included a college and a hospital in Colombo, besides many schools all over the island. He started a weaving institute, and by awarding scholarships managed to send Singhalese students to Japan to study industrial arts there. In 1891, he founded in Calcutta the Maha-Bodhi Society, which is still subsisting, and doing good through the medium of its highly useful journal—*The Maha Bodhi*. He admired the ancient Indian architecture, and desired that modern buildings in the country should approximate to the standard of ancient Indian ideal. The Mulagandha Kuti Vihara (at Sarnath, close to Benares) which is justly regarded as an historic Buddhist temple, on the soil of India, was thus the crystallization of his ideals in the field of ancient Indian architecture.

III.

In India Dharmapala's achievements were of no small account. Sarnath, close to Benares, the historic site, where Lord Buddha, for the first time, preached the gospel of 'enlightenment', and proclaimed ideas which have revolutionised the mind and culture of Eastern Asia, lay in utter neglect. Dharmapala built here, in 1931, the now famous Mulagandh Kuti Vihara, and restored the place to some of its pristine glories. A generous and broad-minded Englishman, Mr. B. L. Broughton, gave the sum of Rs. 10,000 to the Maha-Bodhi

Society for painting the walls of this modern Buddhist temple with scenes from the life of the Buddha; but he made it a condition of the gift that a Japanese Buddhist artist should be invited to do the work. Accordingly, a few months after the death of Dharmapala, Mr. Kosetsu Nosu came over, from Japan, to India, to do the frescoes. His work has been very favourably commented on by connoisseurs of art, and there is little doubt that Mr. Kosetsu's frescoes are significant of the growing friendly relations between cultured circles in India and Japan, in matters relating to religious art. At Gaya, Dharmapala erected a rest house for the Buddhists, and in Calcutta he created a very important centre of Buddhist activity in the shape of the fine Dharma Rajika Chaitya Vihara. One of the most important achievements of the closing period of Dharmapala's life was the establishment of a place for the ordination of Buddhist Bhikkhus, at Sarnath. Although India was the home of the origin of Buddhism, yet even this simple facility for those who wanted to become Buddhists did not exist anywhere in this country, and one wishing to do so, and to enter the Buddhist *sangha*, had to travel all the way to Burma or Ceylon. The inauguration of this institution was, therefore, an historic occasion. It was attended by all the chief high priests from Ceylon, who mustered strong to mark the opening of an institu-

tion like this, on the soil of India, centuries after the last one had disappeared. He also established a branch of the Maha-Bodhi Society in London. Only one year before his death, Dharmapala became a fully ordained Bhikkhu, and retired from active life. Such, in brief, was the life of this great religious leader, whom many Buddhist countries now honour and revere.

This story of the life of Dharmapala will not be complete without a reference to Mrs. Mary Foster, of Hawaii, who in return for spiritual help received from him most generously seconded his efforts with her money. By far the larger part of the money for carrying out Dharmapala's various schemes came not from Asiatic countries, but, strangely, from this generous and large-hearted American lady, whom he had met while returning from the Parliament of Religions held in Chicago, in 1893. She gave a large sum to Dharmapala, who had also a fairly large amount of money of his own. But Mrs. Foster was the benefactress of the Maha-Bodhi Society to the extent of about eight lakhs of rupees. There is no doubt that the widespread knowledge of, and interest in, Buddhism, in India, at present, is the direct result of the assiduous efforts made by Dharmapala for its propagation and rehabilitation, through the Maha-Bodhi Society.

Dharmapala's influence had been a formative

force in the personal life of many eminent Indians. As the late Sir Manmatha Nath Mukherji—a distinguished judge of the Calcutta High Court—said in the course of an address:—"I remember the last conversation I had with Dharmapala, when we were closetted together. That was on the eve of his departure for Sarnath—a journey which he undertook against my advice, his last journey from which he never returned. I remember on that occasion he spoke to me about the history of his own career. At the age of twenty-six when he was surrounded by luxury, he felt within him a divine urge which made him think that a spiritual regeneration was necessary for mankind. With that end in view, he came out to India. He did not lose faith in the justness of the cause he espoused. He believed that with courage and conviction on his side he was bound to succeed. Single-handed he worked for about half a century with courage and faith, and succeeded in bringing back Buddhism to the land of its birth. Those who had the privilege of coming in contact with him know full well what constituted the greatness of that great personality."

IV.

My relations with Dharmapala were cordial for over forty years—from 1893 (soon after he arrived in India) till his death in 1933—and I was, so to say, the honorary legal adviser to the

Maha-Bodhi Society in Bihar. I can, therefore, testify from intimate personal knowledge that he was a true and genuine ascetic—absolutely selfless, and ready to sacrifice all that he had for the great cause nearest to his heart. His one business in life was to be occupied in doing missionary work, in reviving the glories of Buddhism by recovering and restoring its lost and ancient sites, famous in history for their being associated with the events and episodes in the life, or the life-work, of the Buddha, or with the great and momentous epochs in the history of Buddhism. From 1893, when he organised the famous international Buddhist Conference, at Gaya, till the foundation of the Mulagandha Kuti Vihara, at Sarnath, in 1931, he worked incessantly, led a very strenuous life to restore the pristine glory of Buddhism in the land of its birth, and succeeded to so large an extent in establishing cultural associations and unity between the Hindus and the Buddhists that, in 1935, but two years after his death, a Buddhist monk, from Burma, was elected as the President of a session of the All-India Hindu Mahasabha—than which there could be no more conclusive proof of the success of the mission and labours of Dharmapala in India. That great English poet, Wordsworth—in depicting in his justly famous poem, "Character of the Happy Warrior,"

probably had in his mind's eye some one like Dharmapala, for in expressing his great ideal of

> Who is the happy warrior ? Who is he
> That every man in arms should wish to be

—set forth, in vivid terms, the qualities, many of which were found in the Buddhist reformer and ascetic, whose career I have briefly sketched above. To quote the stanzas in which the poet stresses the qualities which were possessed, in my opinion, by Dharmapala. in a pre-eminent degree:

> It is the generous spirit, who when brought
> Among the tasks of real life, hath wrought
> Upon the plan that pleased his childish thought :
> Whose high endeavours are an inward light,
> That makes the path before him always bright,
> Who, with a natural instinct to discern
> What knowledge can perform, is diligent to learn.
> Who doomed to go in company with pain,
> Turns his necessity to glorious gain,
> In face of these doth exercise a power
> Which is our human nature's highest dower,
> Controls them and subdues, transmutes, bereaves
> Of their bad influence, and their good receives;
> This is the happy Warrior, this is He
> That every man in arms should wish to be.

Such, indeed, was Dharmapala.

MAZHAR-UL-HAQUE
(1866—1930)

The passing away of Mazhar-ul-Haque, at the age of sixty-four, in 1930, was undoubtedly a great loss to public activities in Bihar, although for the last seven years of his life he had lived in retirement. For a long time, however, he had played a notable part in the political evolution of modern India. Haque was born at a village in the Patna district, in December, 1866. In 1886—at the rather advanced age of twenty—he passed Matriculation, and took his admission into the Patna College. In 1887 he went to Lucknow, and joined there the Canning College; but in May, 1888, he took a pilgrim steamer to Aden with but Rs. 70 in his pocket, and awaited there for further remittance from home. After a weary waiting for three months there, he got sufficient funds, and then started for London arriving there in September of that year. He was received there by Ali Imam, who had then been there for about a year. In England he devoted his time not only to the study of law, but other subjects as well. He started there the *Anjuman Islamia*, which though ostensibly organised for Muslims was for years a favourite meeting place of Muslim and non-Muslim

Indians, and which I used to attend, since my arrival in London in February, 1890. In due course, he was called to the Bar in July, 1891, and on his return he was enrolled as an advocate of the Calcutta High Court. While in England, he studied elocution, and used to recite wonderfully well famous scenes from Shakespeare and Sheridan. Haque began his practice at Patna, and soon made his mark in the profession; but in 1892, he accepted the post of a Munsiff (or Civil Judge) in Oudh, to the great surprise of all his friends. When I joined the Patna Bar in April 1893, he had been away from Bihar for over a year. But soon he began to dislike the sedentary work of a judicial officer, which was not congenial to his temperament, also as it was far too narrow a field for the full play of his energies. He, therefore, resigned his post in 1896, returned to Bihar, resumed practice at Chapra, and at once made a name for himself as a sound and capable criminal lawyer. Later, he was 'unanimously elected Vice-Chairman of the local municipality, and during the three years of his tenure of office, he completely overhauled the municipal administration, and considerably improved its financial condition.

II.

But the activities of his early years faded into insignificance before the valuable contribution that

Haque made to the political activities of the country. A man of wide outlook, his sturdy independence, courage of conviction, and intense patriotism were apparent in everything that he did, or said, in matters political. In 1906 it was decided by the non-nationalist section of the Mussalmans to start a political association with the object (as was stated in the circular issued at the time) of supporting "every measure emanating from the Government, and to oppose all demands of the Congress." A meeting was called at Dacca for the purpose of starting this organisation. Haque at once saw the great harm that was likely to result from an association with such objects as those mentioned in the militant and aggressive circular issued by its organisers. With Hasan Imam, he at once went to Dacca, and the two Biharee nationalists succeeded in pushing into the background the proposed institution, and starting in its place the All-India Muslim League, with aims and objects wholly different from those originally proposed. Haque acted as its Secretary in the beginning, and organized and nursed it very carefully. Later, he presided over one of its annual sessions in Bombay, in 1915, and delivered a notable presidential address, that created a great impression in the country. In the unfortunate and regrettable controversy that raged about separate and mixed electorates in connexion with

the Morley-Minto reforms, he was put on his mettle, and stood out prominently in opposing manfully and courageously the demands of the Muslim non-nationalists for separate electorates throughout. He was attacked by a large section of the Muslim press in India. Contumely, ridicule and abuse were poured upon him, but they did not in the least affect his nerve or his patriotism. He fought, and fought hard, unmindful of the consequences. He was one of the greatest apostles of Hindu-Muslim unity, and always preached and practised it, both in public and private, and he successfully stood the severest tests in this connexion.

Early in 1908, Haque removed himself to Patna, for he felt that at a small place, like Chapra, his public activities and great energy could not find a free play in the service of his country. He risked, in doing so, an extensive practice there. But his fame had already preceded him, and he soon became one of the leaders of the Patna Bar. Once at Patna, Haque co-operated with his non-Muslim friends in organizing the Bihar Provincial Conference, the first session of which was held in 1908, with Ali Imam as its President. The association of the Mussalman leaders had the most salutary effect upon the fortunes of the Conference. All the Mussalmans of light and leading joined it in a body, and Bihar then presented a unique spectacle, in the

whole of India, of Muslims and non-Muslims working shoulder to shoulder in complete harmony, inspired by common ideals and aspirations. On the introduction of the Morley-Minto reforms, Haque was twice elected to the old Imperial Legislative Council, and his work there was always inspired by a high sense of patriotism and sturdy independence. He was Chairman of the Reception Committee of the Patna session of the Congress, held in 1912, and in that capacity delivered a remarkable inaugural address, which was widely appreciated throughout the country. It was my great privilege to be his co-adjutor, as Secretary to the Reception Committee.

When in 1914, a deputation was sent to London by the Congress, Haque was elected to serve on it, along with Bhupendra Nath Basu, Muhammad Ali Jinnah, N. M. Samarth, B. N. Sarma, Lajpat Rai and myself, and we did our best to carry out the mandate of the Congress. In 1917, when Mahatma Gandhi came to work in Champaran, Haque, along with some others, readily lent him his fullest support. And in 1920, on the inauguration of non-co-operation, he readily gave up his lucrative practice at the Bar, and threw himself heart and soul into the new movement. He started an English weekly, called *The Motherland*. It was while editing that journal that he offended the jail authorities in

connexion with the treatment of political prisoners, for which he was prosecuted, and had to suffer incarceration for three months. Later, he removed to his village home, where he lived a retired life till his death. But even in his retirement, he was a source of considerable inspiration to many a worker in the field of politics. He acted for three years as Chairman of the Saran District Board as well. He now found great consolation in the study of philosophy and spiritualism, which was his chief hobby during his period of retirement.

III.

Until he became a non-co-operator, in 1920, Haque was one of the five best-dressed Indians I have known—the other four being Mr. (now Mahatma) Gandhi, the late Pandit Motilal Nehru, the late Mr. Deep Narain Singh and Mr. Muhammad Ali Jinnah, who all affected, for many years, the foreign style of dress. Mr. Gandhi, while studying for the Bar, in London, might have been not unjustly called a dandy, when I was introduced to him, in the early nineties of the last century, as evidenced by a photographic reproduction of his appearing in various publications relating to his early career. Pandit Motilal, Haque and Deep Narain were the leaders of fashion in their respective provinces, till they came, in 1920, under the influence of the now world-famous "naked faqir", while Mr. Jinnah, even

to-day (in his sixty-seventh year) lives the life he has lived all along, arraying himself in clothes made by fashionable tailors in Saville Row and Bond Street—though latterly he has been affecting *Sherwani*, when appearing on the Muslim League platforms. But once he accepted the Mahatma's lead, Haque suddenly became a changed man. He locked up his fastidiously well-tailored suits, metamorphosed himself from a clean-shaven man into literally a "bearded pard", forsook his foreign style of living, built for himself, outside Patna, a hermitage, called it *Sadaqat Ashram* ("The Abode of Truth")—which is still the chief centre of Congress activities in Bihar—gave up the use of motor car, abjured meat and drink, and transformed himself into a veritable recluse. And so he stuck to his new life and ideals until the last. I have referred to his prosecution and conviction on a charge of criminal defamation, for what had appeared in his journal, *The Motherland*, reflecting (as was alleged) on the late Colonal Sir Hormuzji Banatwalla, a distinguished officer of the Indian Medical Service, and the then Inspector-General of Prisons in Bihar and Orissa. Haque's colleague on *The Motherland*, a well-known South Indian journalist (Mr. Manthreshwar Sharma), has correctly recorded the facts relating to the trial, which I reproduce below :

"The prosecution had been based on the flimsiest

of grounds. Mazharul Haque had written in *The Motherland,* criticising the treatment meted out to political prisoners in the Bihar and Orissa jails. Colonel Banatwalla was prevailed upon to seek Government's permission to prosecute Haque. They looked upon this a convenient alternative to (the then Judicial Member of Government) Mr. Sachchidananda Sinha's blunt refusal to prosecute Haque for sedition. But Mr. Sinha could not justly refuse permission to an officer who wanted to proceed against Haque, in order to defend his own reputation which, in his opinion, had been slandered. The case dragged on from month to month. Haque declined to give bail, and the Magistrate had to release him from custody and depend on his own honour to attend the sittings. Now, if only Haque had defended himself and let in some evidence to prove his allegations, Colonel Banatwalla's case would have been sure to be dismissed. But because, it was the Congress policy not to engage oneself in defence in State or semi-State prosecutions, Haque politely declined to take part in the proceedings. The result was that the Magistrate had to depend entirely on the legally unrebutted evidence of Colonel Banatwalla." "Although I was"—continues the writer—"a non-co-operator in those days, I could not reconcile myself to Haque going to jail for no real offence.

I, therefore, prevailed upon a friend to accompany me to Haque's *ashram*, to endorse my suggestion that Haque should let me offer evidence which had been placed into my hands by some friends. But Haque would not agree, try as we might to influence and persuade him. Finally, he threatened that if I persisted in my idea, he would non-co-operate with me! Knowing his determined nature, I gave way. Haque's point was that he had decided to be a non-co-operator. Having made up his mind, he ought not, by any means, to look back."

IV

Communalism was absolutely abhorrent to Haque, and when at the Congress session held at Allahabad in 1910, Mr. Muhammad Ali Jinnah moved the resolution condemning communal representation in the legislatures, Haque seconded it in an able and forceful speech. As the Morley-Minto Reforms had just come into operation embodying, for the first time, a scheme of communal representation in the Legislative Councils, it required the utmost sincerity of purpose and courage of conviction to be able to say, as Haque did, to the non-nationalist Muslims, that their success was really injurious to the common interest of the two great communities, and that what was wanted was that they should join hands and not remain apart in watertight compartments. He remained a staunch nationalist to the

end ; while his broad-mindedness and patriotism endeared him to all who knew him, or had the privilege of working with him. Perhaps it was for the best that he passed away before the recent developments in the Muslim League he founded and presided over, for his sensitive soul and emotional temperament would have received a terrible shock ; nor the defection of Mr. Jinnah from the principles of nationalism would have been at all to his liking. Be that as it may, there can be no doubt whatsoever that Haque, throughout his public career, was a consistent and whole-hearted nationalist, and an open foe of communalism in any shape or form. He lived and died as a true apostle of Indian nationalism and a tower of strength to its cause, and it was only right and proper that the temporary city, at which the last session of the Congress was held, in Bihar, should have been named after him; for if any one in the province of Bihar deserved that unique honour, it was Mazhar-ul-Haque, beyond a shadow of doubt. Having had the privilege of knowing him intimately for a period of over forty long years, I could write of Mazhar-ul-Haque "much and long", but what I have said will, I trust, satisfy the reader that he was a man of a type distinctly above the average of what we find in India to-day.

THE "LALLS" OF GAYA

Nand Kishore (1866-1918); Parmeshwar (1874-1919); and Harnandan (1892-1931).

The "Lall" family of Tekari (in the Gaya district) produced three notable figures in the public life of Bihar. Nand Kishore Lall and Parmeshwar Lall were brothers—sons of Jawahar Lall, well-known as the successful manager of the Tekari Raj; while Harnandan Lall (who adopted the surname of Nandkeolyar) was the eldest son of Parmeshwar Lall. Nandkishore was born in 1866, and died prematurely in 1918, at the age of fifty-two. He belonged to the earlier batch of English-educated Biharees, and graduated as an M. A., and also in Law. Being a man of means, he did not apply himself seriously to the practice of law, though his legal knowledge was of great assistance to him in his work as a public man. He is chiefly remembered now as a devoted worker in the cause of the separation of Bihar from Bengal, and the constitution of the former as a full-fledged administrative unit in British India. He lived to see the fruition of his hopes and life-long public activities. In 1915, he presided over a session of the Bihar Provincial Conference, and his inaugural address was an elaborate survey of the problems of the new

province of Bihar and Orissa (created in 1912), and it evoked much interest.

Though Nand Kishore was one of the first batch of English-knowing Biharees, who—in co-operation with Mahesh Narayan and myself—threw himself heart and soul into the movement for the separation of Bihar from Bengal, yet unlike Mahesh Narayan, who passed away in 1907, Nandkishore lived to see his aspirations realised, when Bihar and Orissa were constituted a province in 1912, consequent on the declaration made on the subject by King Emperor George V, at the famous Delhi Darbar of 1911. It is worth recalling, however, that Nand Kishore did not succeed in any election contest for the Provincial or the Central Legislature. "No part of the education of a politician is more indispensable than the fighting of elections"—writes Mr. Winston Churchill, in his *Great Contemporaries* (in the course of his sketch of the Earl of Rosebery), and I entirely agree with that observation. I have always regarded it as a great misfortune that, for some unaccountable reason, Nand Kihore, who was always in the thick of political movements in the province, could not be returned as an elected member of the Legislature. But outside the Legislature, he did an immense amount of highly useful public work in rousing the political consciousness of the Biharees.

II.

Parmeshwar Lall—a scholar, and an enthusiastic public worker—was born in 1874, and under the able guardianship of his brother, Nand Kishore Lall, he progressed well in his studies. He had from his childhood a consuming passion for books, and an immense enthusiasm for learning. While in Calcutta—as a college student—he got a good opportunity to study books on literature, history, and philosophy. From his early life he began collecting standard works, till he had a fine library of his own, and he spent much of his time with books. He also studied the great faiths of the world, and his knowledge of religion and philosophy was profound. After taking the M. A. degree, he went to England to qualify himself for the Bar. He had a very busy time there. Apart from his study, he devoted much of his time to Indian public affairs. He very soon gained the favour of the Grand Old Man of India—Mr. Dadabhai Naoroji—and travelled extensively in Britain, enlightening the British public about Indian grievances. He was elected Vice-president of the London Indian Society, which had as its President, at that time, Mr. Naoroji himself. On the eve of his departure, after his call to the Bar, in 1906, the Indian Society gave him a farewell dinner, at which Mr. Naoroji, and Sir Henry Cotton, spoke highly of his work for India.

He returned home steeped in learning, and with a broad outlook and a wide mental horizon. Soon after his return he presided over a session of the Biharee Students' Conference; and his presidential address was remarkable for learning, zeal for public work, and practical advice to students. His study and engagement in public work left him little time and energy to develop a large practice at the Bar. He died prematurely in 1919, and Bihar lost in him a patriot and a zealous worker. A tablet in his memory, in the Sinha Institute, at Patna, records his public services, and pays a just tribute to his work and worth.

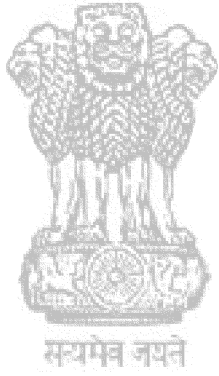
III.

A great career in the making was cut off in the prime of life, in the premature death, in 1930, of Harnandan Lall, who was brilliant alike as an advocate and a publicist. Born in 1892—the eldest son of Parmeshwar Lall—he was destined to go far in life, had it been but spared. After taking his degree of Master of Arts at the Edinburgh University, he was called to the Bar, by the Middle Temple, in 1913. As soon as he settled down to practise, at Patna, he made his mark as a skilful advocate. On the establishment of the Patna High Court, in 1916, he soon acquired a steady and expanding practice. By 1921 he had become so prominent, amongst the junior members of the Bar, that he was appointed

by me (in my capacity as the Law Member of the Provincial Government) Assistant Government Advocate, which office he held for five years, with great credit and distinction. In this capacity he established a record as an almost ideal Crown prosecutor, and his ability, integrity, and fairness were acknowledged not only by his adversaries, but also in more than one judgment of the Patna High Court.

At the expiration of his term of office, Harnandan soon came to enjoy a most lucrative practice. As a private practitioner, he undoubtedly enhanced the great reputation he had already acquired as a lawyer for the Crown. The testimony that was borne to his success at the Bar, and to his many outstanding qualities, as an advocate, by the Chief Justice and the leaders of the Patna Bar—on the occasion of the reference to his memory—was very well-deserved. But his career was crowned with success not only in the great and honourable profession to which he belonged : he also achieved a notable success as a well-informed publicist, and as a man of scholarly tastes, with a distinct literary flair about his writings. He was a most valued contributor to the *Hindustan Review*, and his writings were appreciated by a large circle of cultured readers. In politics, he was a staunch nationalist, and for years he had been connected, as a regular contri-

butor, with the *Searchlight* of Patna. Above all, he had a charming personality—intensely sociable and attractive; and his untimely death left a distinct void, alike in the public and the social life of Bihar, which has not yet been filled.



SIR GANESH DUTTA SINGH

(1868-1943)

Sir Ganesh Dutta Singh—who was, for the unprecedentedly long period of fourteen years, a Minister in Bihar and Orissa—created a record in munificence by giving away, for public purposes, by far the greater part of his emoluments. His total benefaction to the Patna University, for educational scholarships, amounted to about four lakhs of rupees. The way he spent the money earned by him, as a Minister, justly redounded to his public spirit and self-sacrifice, and formed a unique record, which no other Minister in India had hitherto tried to emulate. Living in a severely simple style—what for many others would be a life of privations—in order to save money solely for charitable and educational purposes, he set a new standard of public duty, in India, to all who draw on public revenues, for rendering services to the State. There can be no doubt that posterity will justly regard him as a great philanthropist, and give him a place of honour amongst those who willingly suffered hardships, so that the poor might benefit by their savings.

To be able to make a correct and fair appraisal of the work and worth of Ganesh Dutta, one should

keep in mind the important fact that there is often a great difference between a person as an official and as a man—though there are, of course, exceptions to that rule. Sir Ganesh Dutta, as a Minister, came in for a good deal of criticism for his ministerial acts and policy. But the admiration for Ganesh Dutta, the man, should be as profound, as the criticisms of his official activities had been bitter on many occasions. If his ministerial policy and administrative acts provoked controversy, and even acerbity, at times, he justly earned renown by cheerfully giving away by far the major portion of his salary, earned as a Minister, for the benefit of higher education in his native province, and for other beneficent purposes. He retired from Ministership, on the introduction of Provincial Autonomy in 1937, after having held office continuously for a period of fourteen years, from 1923, when he was first appointed in that capacity.

As Minister, Ganesh Dutta was responsible for some contentious legislations, and more than that for an administrative policy which evoked, not unoften, bitter acrimony. Himself a strict teetotaler, he introduced the outstill system as a part of his Excise policy, which led to ebullition of feeling, in the course of discussions, on the subject, in the provincial Legislature—as it was believed to be calculated to raise a much larger revenue from amongst

the poorer classes, at the cost of their health and economic condition. This is but one of the several instances when feelings ran high against some of the measures sponsored by him during his term of office. But his bitterest critics did not, and could not, but admit that he had no axe of his own to grind, and that whatever he did was solely in the interest of, and with the motive of, doing good to the province, according to the best of his convictions and lights. That this should have been the view of even his political opponents naturally redounded to his credit as a Minister. But while it would not be impossible to cite the examples of other Ministers, in the country, who would favourably compare with him as such, there is none that I know of to be compared to him as an unrivalled philansthropist.

II.

Ganesh Dutta was born in February, 1868, in the Patna district, of respectable middle-class parents. He began to study English at the rather advanced age of eighteen. He passed the Entrance (or Matriculation) examination in the first division, in 1891, at the age of twenty-three, and secured a monthly scholarship of Rs. 10, and a silver medal for proficiency in Mathematics. In 1893 he passed the Intermediate Examination, and in 1895 he graduated himself. The Bachelor of Law degree he obtained in 1897, when he was nearly thirty. After

practising for seven years in the District Courts, at Patna, he was enrolled as a Vakil in the Calcutta High Court, in 1904. He practised in that Court, for nearly twelve years, till the establishment, in 1916, of a High Court, at Patna, when he got himself enrolled as a Vakil in the highest judicial tribunal of his native province. He was elected a member of the Bihar and Orissa Legislative Council in 1921, and selected as a Minister in March, 1923, by the then Governor of Bihar and Orissa. Till then Ganesh Dutta had led a more or less uneventful life. Though he had practised for twelve years in the Calcutta High Court, he had not attained in the profession a particularly prominent position. Even during the years that he practised in the Patna High Court, from 1916 till 1923, he was not regarded amongst the front rank lawyers. It was only when he was appointed a Minister that the qualities, which made him so influential a member of the Provincial Government, were brought into relief.

Ganesh Dutta had thus a chequered career as a lawyer in the High Courts in Calcutta and at Patna. But as a member of the Legislative Council of Bihar and Orissa, to which he was elected in the general election of 1920, he came into prominence by inveighing against Government, and making things lively in the Legislative Council, until he became a Minister, when he appeared before the public in, so

to say, a conspicuously new role. On his election to the legislature he had retired from practice, to be able to apply all his time and energy to the new duties that devolved upon him. For two years as a member of the Council, he worked incessantly, and in budget discussions, and on other occasions, he displayed considerable talents in carrying on debates. This marked him out as a tenacious and well-informed debater, and he came to command respect for his ability and character as a public man. The two Ministers at that time, in Bihar and Orissa, were Mr. (afterwards Sir) Muhammad Fakhruddin (in charge of the portfolios of Education and Industry), and Mr. Madhu Sudan Das (in charge of Local Self-Government and Medical Relief). When Mr. Madhu Sudan Das, the Oriya Minister, suddenly resigned office in March, 1923 (as he could not work, he said, as freely as he desired to do), Ganesh Dutta naturally stepped into office, and for fourteen long years remained a Minister. He then became prominent by reason of his experience as a man of affairs, his strength of character, imperturbability of temper, and great tenacity of purpose in pursuing his policy.

III.

Of Ganesh Dutta Singh's work as Minister, in the field of legislation, I may recall even at this distance of time, that he was justly entitled to the credit of having placed on the statute-book a

liberally-conceived Local Self-Government Act, which was one of the best enacted under the dyarchic regime, as it enfranchised the District and Municipal Boards by vesting in them the right to elect their own Chairman, and also larger powers of administration and control. Of his administrative activities, those who have no inside knowledge or experience of the working of the machinery of Government, during the dyarchic regime, (that is, as Members of Government, whether as Executive Councillors or Ministers), are naturally prone to give credit to a Minister for establishing public institutions which were opened during his term of office, and that may be said to be technically correct, so far as it goes. But in making a fair appraisal of the work of a Minister under dyarchy (1921-1937), it is important to remember that though a Minister might have been able to evolve schemes, he could not carry them out, if the Finance Member of the Government could not see his way to agree to provide funds for them, in the budget.

This very important aspect of the constitutional position of a Minister under dyarchy may not be appreciated by those who had not either worked as Ministers, or studied the question in all its bearings as discussed, for instance, in the Report of the Muddiman Committee (issued in 1925); but it is a truism to those who are familiar with the realities

of the situation under dyarchy. Viewed in this light the credit for having established institutions of utility should belong perhaps, in an equal, if not even in a larger measure, to the Finance Members, who had control of the public purse of the province, and thus exercised complete financial control over the Ministers' policy. But even keeping this constitutional limitation of the Minister under dyarchy in mind, credit should be awarded to Ganesh Dutta for his having successfully carried through some important projects of great utilitarian value—such as the establishment, in 1925, of the Prince of Wales' Medical College, at Patna; the Medical School, at Darbhanga; and the Indian Mental Hospital, at Ranchi ; the Ayurvedic and Tibbi Schools at Patna, in 1926 ; the Sanatorium (for the treatment of patients suffering from tuberculosis) at Itki, in the Ranchi district ; and the Pasteur Institute at Patna, in 1929. These cannot be classed amongst the more or less ephemeral projects of Ganesh Dutta's ministerial policy, and for founding them his name will be justly cherished by posterity in esteem and regard.

IV.

Ganesh Dutta's tenure of office for fourteen years as Minister was not only the longest held by anyone in India (or even in Britain), but was even more remarkable for his setting apart by far the greater

part of his salary for charitable and educational purposes, which had made his name famous throughout Bihar as a distinguished philanthropist. There is absolutely no instance in the history of modern India of any public man having lived so sternly simple a life, marked even by hardships, with the sole object of devoting the greater part of his earnings to advancing the cause of education, by means of awarding stipends and scholarships, to poor but deserving students. As the result of such an unparalleled self-sacrifice on his part, he had been able to place at the disposal of the public, through the medium of the Patna University, about four lakhs of rupees, with a view to advance the interests of higher education in his native province of Bihar. This is truly a unique record of which any servant of the State may justly be proud. But more than that his native province of Bihar may well claim the credit of having produced such a rare type of a philanthropist. Thus Ganesh Dutta had won greater laurels by his munificence in the cause of education than in the sphere of administration as a Minister. His philanthropy was unique in that he had the largeness of heart to make a gift of all his life's savings for the good of future generations of the people of Bihar, by depriving even his own descendants. There have been many, in this country, who had made charitable endowments of

much larger amounts than four lakhs. But there are few who had accumulated wealth just for the sake of establishing funds for the good and advancement of fellow-beings, by denying to themselves a life of ease and comfort, and submitting cheerfully to one of austere simplicity, and of even privations. In that way Ganesh Dutta was undoubtedly a greater benefactor than many others, and his munificence of greater value and importance than of those who have enough and to spare.

The conferment on Ganesh Dutta of the degree of Doctorate *honoris causa* by the Patna University, in 1933, was a fitting tribute to his splendid services to the cause of the educational advancement of the Biharees. His simplicity of life, high character, exemplary sacrifices for objects of public utility, and enthusiasm and driving power for causes that he had made his own, are beyond praise, and readily enlist unbounded appreciation and admiration, even by those who did not approve of some of his ministerial policies, and administrative acts and measures. At a farewell banquet given by Lord Curzon to Mr. Justice Ameer Ali—on the eve of his retirement from the Bench of the Calcutta High Court, in 1904—the Viceroy paid him a just compliment by saying that long after his judgments would have been forgotten, his literary works would continue to be read and admired; and this estimate had

been proved to be absolutely correct. And it can similarly be predicted that long after Ganesh Dutta the Minister would cease to be remembered, Ganesh Dutta the philanthropist will continue to evoke the admiration of generations of Biharees yet unborn, so long as the Patna University will continue to exist, and scatter benefits to students and scholars from the great endowment established by him. Thus it may appositely be said of Ganesh Dutta, in the words of the poet, Gray, of the *Elegy* fame:

> Large was his bounty, and his soul sincere.
> Heaven did a recompense as largely send;
> He gained from Heaven ('twas all he wished) a friend.

SIR ALI IMAM

(1869—1932)

The professional and public activities of Sir Ali Imam had been vast and varied, and he had been long a leading and distinguished figure in Indian public life. Born (in the Patna district) in 1869—the elder son of Shams-ul-ulama Nawab Syed Imdad Imam—he matriculated in 1887, and joined the Patna College, but after studying only for a few months, left for England in September, 1887, and was called to the English Bar by the Honourable Society of the Middle Temple, in June 1890. It is interesting to recall that in the same term there were called to the Bar two of his old friends, namely, Sir Abdul Rahim—long a distinguished judge of the Madras High Court, and later a successful President of the Central Legislative Assembly—and the late Mr. Justice Shah Din of the Punjab Chief Court. Before his return to India Ali Imam took a prominent part in pleading the cause of India before the British public along with the first Congress deputation sent to England, in that year, of which the late Messrs. George Yule, Surendranath Banerji, Mudholker, and Eardley Norton, and Mr. (afterwards Sir) Moropanth Joshi were the members.

Sir Moropanth is, fortunately, still with us, enjoying green old age.

On his return to India, Ali Iman was enrolled in November, 1890, as an advocate of the Calcutta High Court, and began his practice at the Patna Bar. He soon made his mark as an able and exceedingly clever lawyer—skilful in cross-examination, masterly in marshalling facts, and helpful to courts in analysing evidence to the advantage of his clients, with the result that within a few years of his joining the profession, he had the satisfaction of finding himself justly regarded as one of the leading figures in the legal world of Bihar. He continued to enjoy a lucrative practice during the nearly twenty years that he practised, at Patna, before his appointment, in 1909, in the Calcutta High Court, as Standing Counsel to the Government of India. It may be safely said of him that during these two decades there was not one sensational or important criminal case, in any part of the province of Bihar, in which he did not appear for the accused, whom he invariably succeeded in getting off, so to say, by the skin of his teeth. He could then justly say of himself with the Judge (in Gilbert's *Trial of Jury*) while the latter was practising at the Bar:

> All thieves who could my fees afford
> Relied on my orations.
> And many a murd'rer I have restored
> To his friends and his relations.

II.

As Standing Counsel, Ali Imam's services (apart from his routine work in the High Court) were retained by the Local Government to conduct, on behalf of the Court of Wards, the defence in the well-known Dumraon Raj adoption case, which was tried at Arrah during the years 1909-10, in the court of a Civil Judge. It was in this case that the late C. R. Das—who was opposing Ali Imam—made his mark, in Bihar, as an advocate of the first water. Before, however, he had served his full term, Ali Imam was appointed Law Member of the Government of India, towards the end of 1910, and he held this exalted office for a period of a little over five years, retiring in December, 1915. The work of an administrator in India—be it ever so important or exalted—is of a more or less ephemeral character, and so, of the many administrative measures associated with Ali Imam's name as Law Member, the only one which may now be recalled with interest was the Despatch of Lord Hardinge's Government to the Secretary of State for India, recommending the separation of Bihar and Orissa, from Bengal, and their constitution into a separate province, the transfer of the capital of India from Calcutta to Delhi, and foreshadowing the scheme for the introduction of Provincial Autonomy in British India. The first two proposals, and the

consequential changes thereto (as, for instance, the re-union of East and West Bengal which had been divided under the Curzonian scheme of Partition in 1905) were announced at the historic Delhi Durbar, held in December, 1911, by the King-Emperor George V.

On retirement from office Sir Ali—as he had become by then—paid a short visit to England, and returned, in 1916, to resume his practice in the then newly-established Patna High Court, opened but a few weeks before. Here he easily regained his large practice, but in September, 1917, he accepted a permanent judgeship on the Bench of that Court. His career in that capacity was of too short a duration to enable him to leave an impress on the work of the Court. On the retirement of his maternal uncle, Mr. Syed Sharfuddin, from the Executive Council of the Governor of Bihar and Orissa, in 1918, Ali Imam was appointed as his successor, and he served for a little over a year in that capacity, till he was called (in August, 1919) by His Exalted Highness the Nizam of Hyderabad to work as his Chief Minister. In this capacity he spent over two years at Hyderabad. The work there was onerous, in all conscience , and Ali Imam was not the man to spare himself. He retired two years before his full term of five years was over, and came back to the Patna High Court, where he practised until his sudden

death in October, 1932. While administering the affairs of the Hyderabad State, he was nominated, in 1920, as the first Indian representative to sit at the first meeting of the League of Nations, a high honour in official estimate at that time.

III.

Ali Imam's public career began when he presided over the first session of the Bihar Provincial Conference, held at Patna, early in 1908. Towards the end of the same year, he presided over a famous session of the Muslim League, held at Amritsar. His presidential address on that occasion attracted considerable attention, not only in India but also in Britain, and was bracketed with the late Dr. (afterwards Sir) Rash Behary Ghosh's inaugural address at the Madras session of the Congress, held at the same time. The *Quarterly Review*—the most famous periodical even now in the English-knowing world—in the course of an article, reviewing the session of both the Congress and the League, paid Ali Imam the following handsome compliment :—"He had the courage to show the way to his community, and to urge it to abandon the narrow sectarian view of their responsibilities to India. Hitherto, the Indian Mussalmans have been too prone to speak of themselves as aliens sojourning in a foreign country. That view, so prejudicial to Indian unity, Mr. Ali Imam put resolutely aside: 'We, the educated Mussalmans of

India,' he said, 'have no less love for the land of our birth than the members of the other communities inhabiting the country. We are tied to her by the sacred association of ages, and we yield to none in our veneration and affection for our motherland.' " After quoting these passages the *Quarterly Review* went on to say :—"Perhaps few British readers will perceive what an epoch is marked by the last sentence. The Indian Mussalman not only accepts but claims an Indian nationality ; this is a step towards unity, the significance and importance of which it is impossible to over-estimate." Thus, although Ali Imam had been sometimes charged with being a communalist, by people whose own sense of nationalism was not very clear, one can easily understand Ali Imam's position as a staunch nationalist during the long years of his public career. Later, he prominently associated himself as a signatory to the scheme of Indian Reforms propounded in the Nehru Report, issued in 1928, and was rightly regarded as one of the greatest nationalist leaders, particularly among the Muslims. His presidential address at the Nationalist Muslim Conference (held, at Lucknow, in 1931) marked at that time an epoch in the growth and development of Muslim nationalism in the country which—although still weak and feeble—will, in due course, become a factor to be reckoned in Indian political affairs. The

following short passage from his Lucknow presidential address—pregnant with the spirit of genuine nationalism—will bear quotation. Said he :—"Much is said by Muslim communalists about the share of the Indian Muslim in the 'concession loot'. I do not believe that this share can be fixed by Statute. His share will be in proportion to the contribution he makes towards the obtaining and maintaining of India's freedom." How true, and yet how often forgotten!

III.

But a conclusive proof of the genuineness of Ali Imam's nationalism is to be found in the statement circulated by the Rt. Hon'ble Syed Ameer Ali, in connexion with the work and activities of Ali Imam in England, in 1909, when he was there at the time when the Morley-Minto reforms were under consideration, and the various aspects of separate electorates for Mussalmans were being considered by Lord Morley. Ali Imam, as the President of the Amritsar session of the League, had tried to influence Lord Morley in favour of a settlement on nationalist lines, which gave dire offence to the Rt. Hon'ble Syed Ameer Ali, who was then (as throughout his life) a leader of the communalists, and who accordingly circulated a memorandum, both in Britain and India, which was calculated to discredit Ali Imam, and his public activities. A copy of this

memorandum was sent to Ali Imam by the late Sir Theodore Morrison—then a Member of the India Council of the Secretary of State for India—along with a letter, both of which were given to me by Ali Imam himself, and have been in my possession since. I quote below some salient passages from the memorandum, without any comments, as they speak for themselves :

"Mr. Ali Imam came to England ostensibly to confer with H. H. the Aga Khan and myself on the subject of the Government of India's proposals relating to Mahommedan representation on the Viceroy's and other Councils. He wrote to me that he was coming expressly for that purpose. I had a full four hours' talk with Mr. Ali Imam, and I pointed out to him the utter futility of his assumptions and anticipations, on which he relied, that it would be better for the Mahommedans to join in mixed electorates ; but he remained unmoved. Having failed to convert us, Mr. Ali Imam has openly declared himself against his people. He was perfectly entitled to place before Lord Morley his own views, but I have reason to believe that he did not give him a quite accurate representation of Mahommedan feeling on the subject. On the 1st October, a dinner was given to him by a certain number of Hindu and Mahommedan sympathisers. At this dinner he strongly urged his people to accept gratefully

what the Government of India proposes to give them ! I met him next day at an 'At Home' which, to shew our friendly spirit, was given to him as a purely social function. I congratulated him first on the office of Standing Counsel the Government of India had conferred on him. I then said I had a friendly complaint to make to him that it was not fair to enter on a campaign against his people. On this he replied : 'I will do all in my power to prevent the Mussalmans getting what I think detrimental to them.' In answer to this frank avowal, I simply remarked:—'After that nothing remains to be said ; we now understand each other perfectly.' As his friends are representing him to be the President of the All-India Muslim League, (I cannot believe that he had any hand in this) his attitude is creating an impression on the British public unfavourable to the Mahommedans. What is most reprehensible, however, is the propaganda that has been started to defeat the Mahommedan claims. I do not blame Mr. Ali Imam for the attitude he has taken up. He has to placate on one side the Hindus, on whom his practice depends, and on the other, accommodate the Government in whose hands rests his advancement in life and the fulfilment of his ambitions. After all patriotism, like charity, begins at home. The other young Mussalmans who wish to follow his example look

at the question from the same point of view. However, these remarks do not touch the main point which is—how does your Standing Committee propose to act in this matter ? Surely Mr. Ali Imam's presence any longer on the committee of the League cannot be to its advantage, nor to his credit. His policy is quite opposed to that of the League ; he has openly declared that he will do his utmost to prevent the Mussalmans getting what they want. It is for you to say whether he should not be respectfully but firmly requested to resign his seat on the Committee, as a position wholly inconsistent with the views he entertains. His remaining on the Committee would be most anomalous both to the League, and prejudicial to the Mohammedans whom the League represents."

Sir Theodore Morrison's letter (from Ashleigh: Weybridge, dated the 31st August, 1910) was as follows : " My dear Ali Imam : This letter made me very indignant; really, it is impossible that a man capable of writing it should lead a party, and the sooner the author devotes himself solely to scholarship the better for his community. No party can ever prosper under such leadership, and already the murmurs of revolt from the young men in London are becoming loud. However such devices recoil in the end upon those who perpetrate them, and you must stick to the party, and work

for it in your own way, in spite of misrepresentations; your position will be all the stronger in the future. I always recall the position of Sir Syed Ahmed ; he would never have had so unassailable a position unless he had faced obloquy, and daunted it after many years. Yours very sincerely, T. Morrison."

IV.

The greatest mistake which Ali Imam made—as he himself acknowledged to me, more than once—was his going to Hyderabad as the Chief Minister of that State. The offer seemed to him tempting enough at the time, and the prospect of distinguishing himself as an independent administrator in the largest Indian State, induced him to accept it. But he soon found that he had reckoned without his host—the "host" being the State officialdom, and the intriguers. It so happened that during the greater part of his stay there, I happened to be at Hyderabad, engaged before a special tribunal (constituted by His Exalted Highness the Nizam), conducting a sensational civil case, on behalf of Lady Viquar-ul-umarah (the wife of an ex-Prime Minister of the State), who had been sued by the Nizam himself for the recovery of about one crore of rupees in cash and jewellery, which was said to have been amassed by her only son, who had gone mad, and for the unlawful removal of whose movable property the mother had been sued, the Nizam

setting up" his title to it as the Sovereign, and thus the guardian of all lunatics in the State. I have thus personal knowledge of many of the incidents of Ali Imam's career at Hyderabad, but I prefer to let Mr. St. Nihal Singh describe them, since he also could speak about the matter from personal knowledge, having lived at Hyderabad at that time. I extract below, therefore, some passages from his reminiscences, confirming my view :—

"In 1921, when Ali Imam visited Britain, he had taken service under His Exalted Highness the Nizam of Hyderabad. During the many weeks he spent in London he was trying to sway opinion in favour of his "Master"—as he used to call him—with a view to securing the retrocession of Berar, of which Lord Curzon had obtained the 'lease in perpetuity' from the (late) Nizam, His Highness Sir Mahbub Ali. Ali Imam now appeared in an altogether different light. His native charm of manner, his great dialectic skill, his insight into human psychology, and his experience at the Bar, gave him great power. These gifts he used incessantly in the endeavour to promote the Nizam's interests. He sought out newspaper-men, politicians, and statesmen (some of them through my aid), 'wined and dined' them, and generally 'buttered them up', as the saying goes—all with the intent to secure the prize that his employer had set his

heart upon. Some months later when I visited Hyderabad, I found him working equally zealously in the same cause. His brother, Syed Hasan Imam—a great and successful lawyer—had prepared a lengthy epistle in which he had set out with great clarity and cogency the Nizam's case. In the end, however, all the pains taken by Ali Imam came to naught. Lord Reading would not hear of handing Berar back to the Nizam. His Exalted Highness's claims to equality with the Government of India upset his noble lordship, who repudiated them with some acerbity. Sir Ali tried to mend matters, but without success. Partly because of absorption in this matter, and partly because of the intrigues directed against him, Ali Imam's tenure of the highest office in that State was not as fruitful as it deserved to be. Only one conclusion could be drawn by a discerning person. Hyderabad was truly like the scabbard that could sheathe but one sword: Sir Ali did not take the trouble to see His Exalted Highness frequently. During the many months that I was living next-door to him, and running in and out of his house, I doubt if I saw him go to the 'King Kothi' even once a month on an average. He used to look very odd when he donned his 'roomi topi'—(the headgear still known in India by that name, though banished by the Turks)—preparatory to going to the palace. Persons who

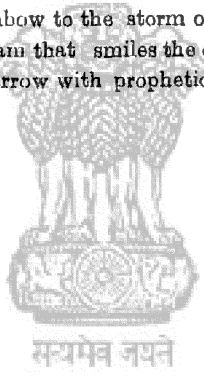
were plotting against him, on the contrary, hung about the palace, morning and evening, and took every opportunity to poison the ruler's mind against the Chief Minister. I, therefore, thought—almost from the time I first set foot in Hyderabad—that his tenure of office was not worth a moment's purchase. Had he been a sycophant, or had he stimulated orthodoxy, he might have done well in Hyderabad. Many others got on famously by employing such means. He would not, however, stoop to such devices. And I respected him all the more because he would not. In the end, he threw up his job, as I had predicted he would. The crisis came like a bolt from the blue. I have often wished that Ali Imam had not taken service in Hyderabad. The place did not suit him, nor he the place. The anxiety he suffered there undermined his constitution. Had he not thus suffered he might be still with us, helping us to remove obstacles in the path of Indian nationalism."

Having personal knowledge of the facts stated above—as, in fact, of almost every incident in Ali Imam's life, by reason of my close and intimate association with him for a period of over fifty years—I endorse the above estimate in regard to Ali Imam's work as the Chief Minister at Hyderabad. For the rest, those who had the privilege of knowing Ali Imam intimately will

readily testify that his was a charming personality. In private life he was the warmest of friends. He never allowed differences, political or religious, to interfere with his social and friendly relations. His sociability and geniality always appealed to a very large circle of his friends, drawn from all classes and communities. Whatever he took up he did with a zeal and an earnestness, which many of the younger generation may well envy. Though he had lived to celebrate the sixty-third anniversary of his birthday, yet his stalwart, robust, and well-built constitution was a typical example of a healthy mind in a healthy body. Endowed with a rich, sonorous and powerful voice, he was an accomplished public speaker. His morale was in unison with his physique—for his temper was gentle, and his temperament tactful, while his habits were extremely simple and abstemious. During the closing years of his life, he had been spending much of his well-earned leisure at Ranchi, where he had built a palatial residence. Providence had blessed him with a large family, and he left (by his first wife) five sons, each highly educated and accomplished, and all members of the English Bar. This brief record of Ali Imam's professional and administrative career will bring home to the reader his versatility, his broad mental outlook, and his large experience of public affairs. His public career

was justly a source of satisfaction and pride to all Biharees, while his professional record is replete with lessons of endurance, hard work, careful study, and tact, which junior practitioners may well take to heart, and profit by. It is of Ali Imam, more deservedly perhaps than of anyone else in modern Bihar, that one could justly record at the end of a survey of a great and distinguished career, the Byronic salutation—

> Be thou the rainbow to the storm of life!
> The evening beam that smiles the clouds away,
> And tints to-morrow with prophetic ray.



SYED HASAN IMAM
(1871—1933)

Amongst the many successful advocates, whom modern India has produced, the name of Syed Hasan Imam deservedly still stands in the front rank. Born, in the Patna district, in August 1871, Hasan Imam was the younger brother of Sir Ali Imam. In 1889, he was to appear for matriculation, but he left for London, to study law, joined the Honourable Society of the Middle Temple—to which his elder brother also had been admitted—and was called to the Bar in the June term of 1892, that is, while he was technically under age by three months. I was Hasan Imam's intimate friend and constant companion in London, and lived in the same house with him for over two years, shared the same study, and had many interests in common. Both of us were known amongst our circle of friends as "book-worms", and attended together courses of lectures on various subjects, ancillary to law, at the University College, London, which were delivered by eminent professors. Hasan Imam returned to India immediately after his call to the Bar, and, after getting himself enrolled in the Calcutta High Court, settled down to practice at Patna.

Unlike his elder brother, Ali Imam, who, even as a junior, dabbled more or less in public activities, Hasan Imam cut out for himself an entirely different course, as a legal practitioner. From the start, he made up his mind not at all to coquette with public affairs, or to flirt with anything which was in the least likely to distract his attention from his sole and jealous mistress, namely, the study and practice of law. The result of this, in a sense, sound determination, was that he joined, for the first time, the Congress at its session held in Madras, in 1908, by which time he had put in over sixteen years' practice, and attained a leading position at the Bar. During this long interval he not only developed a large criminal practice, but struck a new line for himself, amongst the barristers then practising in Bihar, by acquiring a large practice on the civil side as well. Devoted entirely to his practice, he was most diligent and assiduous in the discharge of his duties, since he had no other pleasure, pursuit, or pastime, to divert his attention. It is not surprising, therefore, that he was held in higher esteem than any of his competitors, by the litigants, who stuck to him even when he lost their cases. His career, at this period, can well be described in the verses (which I may quote from the famous "Lord Chancellor's Song", in one of Gilbert's operas), which well throw into relief his outlook and mentality, with reference to his profession :—

Ere I go into court I will read my brief through,
(Said I to myself—said I),
And I'll never take work I'm unable to do,
(Said I to myself—said I).
My learned profession I'll never disgrace,
By taking a fee with a grin on my face,
When I have'nt been there to attend to the case,
(Said I to myself—said I).
In other professions in which men engage—
(Said I to myself—said I)
The Army, the Navy, the Church, and the Stage,
(Said I to myself—said I),
Professional license, if carried too far,
Your chance of promotion will certainly mar,
And I fancy the rule might apply to the Bar
(Said I to myself—said I).

II.

By 1910 Hasan Imam's reputation, as an able and a skilful advocate, had travelled even beyond the boundaries of Bihar, and he had been receiving many calls from outside the province. It naturally occurred to him then that he might try to obtain a footing in the Calcutta High Court. Accordingly, he left Patna for Calcutta towards the end of 1910. No sooner had he settled down there than he found himself surrounded by his large clientele from Bihar, and he immediately acquired a fairly large practice on the appellate side of the High Court. His forensic eloquence, and subtle legal acumen, were at once recognised both by his compeers at

the Bar, and by the learned judges, particularly by the late Sir Lawrence Jenkins, the then Chief Justice. The Congress having met in Calcutta, in December 1911, under the presidentship of the late Mr. Bishan Narayan Dar, Hasan Imam not only attended the session but invited its next session to be held at Patna, in 1912. Early in that year, however, he accepted a seat, as a permanent judge, on the bench of the Calcutta High Court, and retained that highest judicial office till 5th of March, 1916, when he resigned it to join, as a practitioner, the Patna High Court, on the occasion of its opening, the very next day.

The qualities that characterized Hasan Imam throughout his life were brought to bear, in the fullest measure, on his work as a judge, and more than one important episode stands out as a reminder of his judicial career. Few cases of executive high-handedness, in Bihar, can be recalled to rival the prolonged and unceasing harassment to which two landholders in the district of Bhagalpore were subjected by two successive District Officers. The preventive and punitive sections of the Criminal Procedure Code were brought into requisition, against them, with relentless severity, and they had been forced into prolonged and ruinous litigation. Mr. Justice Hasan Imam, before whom the cases happened to come up in revision, summoned the

officers concerned, examined them at length, and smashed the entire proceeding. His strictures on the two District Magistrates—one of them afterwards a Governor of Assam—caused considerable sensation at the time, as it was one of the few occasions when a High Court Judge had taken such strong action against Executive high-handedness, on the part of British officers.

This was, indeed, a notable episode in the career of Mr. Justice Hasan Imam, and justly redounded to his credit as an upright and independent Judge, who was the refuge of the weak against Executive excesses. Though Mr. Justice Hasan Imam's career on the Bench was rather short (just about four years), it may safely be asserted that he distinguished himself in that capacity not only for ability, but judicial independence. Above all, his judgments in criminal cases, showed that he was extremely jealous of the rights of the subject being encroached upon by an over-zealous Executive. Thus he proved to be a judge who dispensed justice tempered with mercy, and who was watchful of the fundamental rights of the people. It was evidently this trait in his judicial career which led Sir Charles Bayley—the then Lieutenant-Governor of Bihar and Orissa—to take up a hostile attitude against his being transferred as a Judge to the Patna High Court, on its constitution in 1916. 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 from Calcutta to the Patna High Court. So a truce was patched up, at last, between the two Governments, by their agreeing to bring over, to the Patna High Court, the late Mr. Justice Sharfuddin, by giving him one year's extension, as his time for retirement was nearly up. 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 on the 6th March, 1916, as a legal practitioner, the opening ceremony of the Patna High Court.

Since then, for over seventeen years, till his death in April, 1933, Hasan Imam had been one of the acknowledged leaders of the Patna Bar, and appeared in almost every *cause célèbre*, not only in the High Court, but also in the mufussil courts throughout the province. Moreover, during this long interval, his name and fame had become widely known, throughout Northern India, and he appeared, from time to time, in sensational cases in other High Courts as well. He enjoyed the reputation—not perhaps unfounded—of having amassed, by the practice of his profession, by far the largest fortune, of any legal practitioner in

this country, with the sole exception of the first Lord Sinha. It will be easily understood that the high position, which Hasan Imam attained in this professional career, was the result of many good habits, rigorously developed during more than forty years, in the study and practice of law. A thorough grasp of every syllable of the record, a close familiarity with its minutest details, and an intimate knowledge of every point of law involved, were only some of the striking features of Hasan Imam's system of mastering a case. As an advocate, his command over the technique of legal phraseology was admirable, while his fearlessness and interpidity, in the discharge of his duties to his client, had deservedly earned for him the appreciation of not only the litigant public, but even his compeers and adversaries, and also the judges.

III.

I have mentioned above that Hasan Imam joined the Congress as a delegate, for the first time, in 1908. Since then, he kept up his connexion with the Congress, attending almost each subsequent session till his elevation to the Calcutta High Court Bench. In September, 1918, he was elected to preside over the special session of the Congress, held at Bombay, to consider the Montagu-Chelmsford Report on the Reforms, which had

been issued, some months before. Dealing, as it did, with mainly a topic of current interest, his presidential address has naturally passed out of public memory long since, but there is one passage in it, which is of interest and importance, even today, to those concerned in public activities. "If you will permit me to point out," said he, "there seems to me no material difference between those that advocate rejection, and those that advise acceptance of the proposed Reforms, for the common feature of both is to continue the struggle till our rights are won. In politics, as in war, not combat but victory, is the object to be pursued, and where ground is yielded, not to take it would be to abandon what you have won". These are words of profound political prescience, and have not only a direct bearing on our current public affairs, but will continue to be of value till India attains full economic and political freedom. Though in years later than 1918, Hasan Imam—because of his expanding practice—had not been able to take a sustained part in our public affairs, yet when occasions demanded, he came forward to do his best for the cause of the country. He very ably led the Muslim deputation to Mr. Lloyd George—the then British Premier—in connexion with the revision of the treaty of Sevres, and put the case most ably and effectively before him. Later—

following in the wake of his brother, Sir Ali Imam, in 1920—he represented British India at the 1923 session of the League of Nations, at Geneva, and created, by his skilful advocacy, an atmosphere for the favourable consideration of Indian problems. His statements before the Islington, and the Lee, Commissions were masterly expositions of India's administrative problems, while he took a pro minent part, in 1927, in the agitation against the Simon Commission, and materially conduced to the success of its boycott in Bihar.

But the inauguration of the non-co-operation movement by the Congress, in 1920, estranged him (like many other leading Congressmen till then) from those who believed in the new methods of direct action; Mahatma Gandhi having failed to influence him—as declared by Hasan Imam himself. As a strict constitutionalist, he never attended any Congress session thereafter. On the contrary, he accepted from the first Lord Sinha—when he was Governor of Bihar—a nomination as a member of the Legislative Council, and was its first elected Deputy President, during the time that I held the office of the President, in 1921-22.

IV.

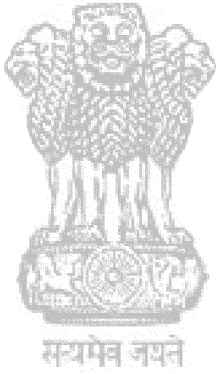
Even a short sketch of Hasan Imam will hardly be complete without some reference to his social reform activities. Only those, who are intimately in

touch with the strong prejudice in Indian society even to-day, in the matter of the seclusion of women, can appreciate the success achieved by him, in this direction. If the education he imparted to his son stands to Hasan Imam's credit, even more so redounds to it the fact that his two daughters received the highest education and the best training, and broke through the shackles of the "purdah." Some people think that Hasan Imam perhaps went too far in this direction, and that he should have "hastened slowly." The question of pace in social progress is one of opinion, which will always remain a matter of controversy. But there can be no doubt that in the fulness of time, when the din of controversy is hushed, Hasan Imam will be justly regarded by the future generations as a great social reformer, in Bihar. Presiding at a Students' Conference in 1909, he declared, in the course of his inaugural address, that "with the depressed classes in a state of servitude, and the women in a state of hopeless neglect and unreasonable subjection, your wheel of progress will run more likely backward than forward." It is a matter of gratification that there has been a remarkable change for the better in these respects, since then. But the passage quoted above shows the depth and intensity of his feelings on the subject.

Thus Hasan Imam was one of India's eminent

sons, an outstanding personality, a thorough nationalist, a brilliant lawyer, and a public-spirited citizen. During his public life extending to about forty years, he was imbued with the noble and laudable ambition of consecrating his services to the cause of the country, and identifying himself with all movements connected with its progress and advancement. Modern India has produced great advocates and eminent lawyers, and the name of Hasan Imam deservedly stands in it in front rank. A number of lawyers in this country have combined lucrative practice at the Bar with useful public activities. But a few while well known as public men also, have been so deeply and so closely attached to their practice, that their professional work overshadowed their other varied activities. On the other hand, the country has produced some highly successful practitioners, who have justly gained greater reputation as leaders of public life and opinion, than as advocates, although they had enjoyed for a long series of years an extensive practice as well. Amongst the latter category, one is easily reminded of C. R. Das, and Motilal Nehru, while in the former one may recall the careers of Lord Sinha, Sir Rash Behari Ghosh, and last but not least, Hasan Imam—whose favourite saying was the following observation of the eminent British statesman, Charles James Fox:—"The progress of liberty is like the

progress of the stream ; it may be kept within its banks ; it is sure to fertilize the country through which it runs ; but no power can arrest it in its passage ; and short-sighted as well as wicked must be the heart of the projector that would strive to divert its course."



KASHI PRASAD JAYASWAL
(1871—1937)

Dr. Kashi Prasad Jayaswal, was a distinguished oriental scholar, who by his researches, in the field of ancient Indian history and polity, established an international reputation for originality in scholarship. Born in 1871, at Jhalda, in Bihar—though his family originally belonged to Mirzapur in the province of Agra—Jayaswal, after taking his M. A. degree, at the Allahabad University, went to Oxford, where he obtained distinction, being the Davies scholar of the year in Chinese. After graduating from Oxford, he was called to the Bar, from the Middle Temple, in 1910. On his return to India, he applied for enrolment, as an Advocate, in the Allahabad High Court, but was refused permission, on the ground of his alleged association with some Indian revolutionaries in Europe. He then went to Calcutta, with letters of introduction to Mr. Justice Asutosh Chaudhri, and sought his assistance in getting himself enrolled as an Advocate of the Calcutta High Court. Mr. Justice Chaudhri was much impressed with the linguistic and literary attainments of Jayaswal, and he succeeded in securing for him the sympathy of Sir Lawrence Jenkins, the then Chief Justice of the Calcutta High Court, so

that the future career of a talented young man might not be blighted, and succeeded also in getting him enrolled as an Advocate. After that Jayaswal practised in Calcutta, till a High Court was established at Patna, in 1916, for the provinces of Bihar and Orissa.

During his stay in Calcutta, Jayaswal devoted more of his time in pursuit of research, in the region of ancient Indian history and polity, than to legal practice. His contributions on ancient Indian polity were sent to German Orientalists, who expressed their high appreciation of them. At Patna—where he lived from 1916 till his death in 1937, at the age of sixty-six—though he got up a good practice, especially in cases relating to Income Tax and Hindu Law, yet he strenuously continued his researches. Besides, his remarkable work on ancient Indian polity, his historical researches in Indian history, of the period 150 to 350 A. D., his Tagore Law Lectures on Manu and Yagnavalkya, delivered as the Tagore Law Lecturer, at the Calcutta University, his address as President of the Oriental Conference, held at Baroda, and his numerous contributions to the *Bihar and Orissa Research Society's Journal*, amply testify to his eminence as an Oriental scholar, and an Indologist. There might be many more erudite Orientalists, amongst his contemporaries, but few of them

possessed that originality with which he illumined many a dark page of ancient Indian history. Scholarship informed all his literary and historical work. Even when the Government of Bengal, suspicious of his politics, would not let him deliver some lectures on Indian antiquities, at the Calcutta University, he retained the true spirit of a scholar. The Patna Museum, of the committee of which he was President for a number of years, owed not a few of its treasures to his zeal, in its behalf. In 1936, the Patna University conferred upon him the degree *(honoris causa)* of the Doctor of Philosophy, in recognition of his rich and rare learning and scholarship. The then Vice-Chancellor, in moving, the resolution, paid a glowing tribute to Jayaswal's scholarship. In paying a tribute to his memory, Sir Courtney Terrell, the then Chief Justice of the Patna High Court, testified to Jayaswal's striking personality, quite apart from his profound learning. Said his lordship :—"I think, I knew him best as a man. We met very frequently, and we would talk together of matters which are not discussed save between intimate friends, and in that capacity. The world has lost a great scholar. India has lost a great student of its history and affairs, and our profession has lost a most deeply esteemed colleague."

II.

Jayaswal had a record of a quarter of a century

of original research in the field of Indian history, in its widest significance. His contributions had shed light on Hindu law and constitution, also on ancient Indian history, chronology, epigraphy, and numismatics. When his constitutional history of ancient India, entitled *Hindu Polity*, was published, in 1924, Professor Thomas Boden, Professor of Sanskrit at Oxford, and the leading authority at the time in Britain on Indian Culture, prefaced his review in the *Journal of the Royal Asiatic Society*, London, in 1925, with the following remarks:—"Mr. Jayaswal is to be congratulated upon the publication of a long meditated work. We may also congratulate the students of ancient Indian institutions: for, in addition to an unusual vigour of mind, Mr. Jayaswal, as a trained legal practitioner and theorist, brings to bear upon the history of the Indian State a more concrete realisation of terms than is natural to a scholar as such. It was this that enabled him, in his first publication, to direct upon the political *samghas* (aristrocratic or republican governments) of ancient India the light obtainable from the procedure of the Buddhist ecclesiastical organisation. In the sphere of pure scholarship, he had found time, amid his professional occupations, to publish many striking articles, and also a new Sanskrit text on politics (the *Rajanili Ratnakara* of Chandesvara, C. A. D. 1300-25), and to lend

powerful support, as Honorary Secretary and Editor of an exceptionally valuable journal, to the work of the Bihar and Orissa Research Society." There could be scarcely higher praise than this to Jayaswal's scholarship.

Jayaswal's Tagore Law Lectures on Manu and Yajnavalkya, dealing with the growth of basic Hindu Law, had come to be regarded as a classic, and attracted considerable attention, as he made, in his book, a constructive attempt to illuminate the history of ancient Hindu Law. Jayaswal's work on ancient Indian history, based on inscriptions and Sanskrit texts, had raised his reputation amongst Indologists. The late Mr. E. Edwards (of the Indian Civil Service) who revised Vincent Smith's standard work, *Early History of India*, conspicuously acknowledged, in his preface, that the new knowledge obtained from Jayaswal's researches had necessitated a careful revision of the book. Readers of Vincent Smith's two histories will find numerous references in them to the results of Jayaswal's researches on various periods and topics. In 1933 Jayaswal published his *History of India 150 A. D. to 350 A. D.*, that is, the age which had been blank till then, and had been consequently called the Dark Period in Indian history, and the next year (1934) saw the publication of his commentary on a Buddhist Sanskrit text on Indian history, under the title

An Imperial History of India. The Sanskrit text had also been published by him after comparison with its Tibetan translation, made in the eleventh century, of the Christian era. This supplied an original source of the Indian history of the period from c. 700 B.C. to c. 700 A.D., and particularly subsequent to 320 A. D. The long inscription at Hathigumpha, near Bhuvaneshwar, in Orissa, which ranks in importance only next to the inscriptions of Asoka, had been deciphered by Jayaswal, after a labour extending over ten years. This document is invaluable for the political history of India of the second century B. C., and will always be referred to as a primary source. On Indian coinage, his contribution was no less remarkable. Further, he was the first Indian scholar to receive the unique honour of an invitation to lecture before the Royal Asiatic Society, London, when he placed the results of his discovery of the coinage of Mauryas before the Society. Jayaswal had been twice elected President of the Numismatic Society of India, and had been awarded their special medal for conspicuous original work on the science of Indian numismatics. He was also elected President of the All-India Oriental Conference as one of the most eminent workers in the fields of Indian history, antiquities and jurisprudence.

III.

Few of his contemporaries possessed Jayaswal's

rare combination of gifts, in learning, research, and scholarship. In one field, particularly, he attained eminence by his specialised studies and valuable contributions, as well as by pioneer work, namely in that of ancient Indian history and polity, which he had made his own. His work, in this branch of Indology, raised the moral stature of Indians in the world of research and scholarship. When Sir Sankaran Nair—as a Member of the Government of India—wrote a famous Minute in which he endeavoured to dispel the illusion, which the bureaucracy had sought to uphold about India's past—that she never had a system of free Government, at any epoch in her long history, with its inevitable corollary that the absence of free institutions in the past proved the inaptitude of the present-day Indians for them,—it was Jayaswal who supplied the incontrovertible materials utilised, with such advantage and effect, by Sir Sankaran Nair in that Minute, which created a great furore on publication. It was these materials that Jayaswal subsequently embodied in his authoritative treatise, called *Hindu Polity*, which created quite a sensation at the time. His flair for discovery was only equal to his industry. His versatility, and his rare achievements, soon pushed him amongst the front rank of Indologists and Orientalists. And thus Jayaswal was among the noble pioneers who helped advocates of modern

Indian democracy to unfold itself in the mirror of the past, and to make them realise that it was a child of the soil of India, and not a foreign immigrant fighting for the rights of naturalisation. In the reconstruction of the history of the period, Jayaswal not only paid attention to questions of political history, but to that of art and general culture, as well. In fact, he spared no pains to make his work as comprehensive as possible. That Jayaswal eminently succeeded in accomplishing his task no one, who knows anything of the subject, will deny. And I can unhesitatingly assert that, for yet a long time to come, the works of Jayaswal will have a distinct place of their own, in a library containing books on the culture, history, and polity of ancient India.

By the death of Jayaswal the country thus lost a scholar and historian of international reputation, who had an instinct for discovering hidden secrets of the forgotten history of ancient India. It was justly said of him that no piece of ancient Indian architecture or coin—no terracotta, or ancient stone —was without a lesson, or a story, of the forgotten past of our great and historic land. His greatest achievement was undoubtedly his unearthing the history of the forgotten republics of ancient India, particularly those that had flourished in Bihar, for it was a most useful contribution to historical knowledge, which has a distinct political value, far more

than that of a mere piece of historical research. His researches had thus revolutionised many old theories and notions of ancient Indian history. Though, as a genuine scholar, he never allowed himself to be influenced by any political consideration in carrying on his researches, nevertheless their result is bound to have a vast effect on the political progress of the country, in times to come. Howsoever that be, Jayaswal remained a scholar to the end, and lived and died as such. To him, more than any other contemporary of mine, I could appropriately quote and apply the well-known stanza in Matthew Arnold's famous poem, called *The Scholar Gipsy*, in which the poet describes the ideal scholar:

> Still nursing the unconquerable hope,
> Still clutching the inviolable shade,
> With a free onward impulse brushing through,
> By night, the silver'd branches of the glade—
> Far on the forest skirts, where none pursue,
> On some mild pastoral slope
> Emerge, and resting on the moonlit pales,
> Freshen thy flowers, as in former years,
> With dew, or listen with enchanted ears,
> From the dark dingles, to the nightingales.

Dr. GANGANATH JHA
1871—1941.

Dr. Ganganath Jha, one of the most eminent Sanskrit scholars and distinguished educationists, of whom both Bihar, his native province, and the United Provinces of Agra and Oudh, the field of his scholarly activities, were justly proud, was born in September 1871, in the district of Darbhanga, in North Bihar. He was not born with a silver spoon in his mouth. Though related closely to the family of Maharajas of Darbhanga, his father, who was very generous and learned, was not in affluent circumstances. His early education commenced at his village home, and, later, he entered the Darbhanga Raj School, in 1880. He passed the Entrance, (*i e.*, the Matriculation) examination in 1886, at the early age of fourteen, and then joined the Queen's College, at Benares, one of the premier educational institutions, at that time, in Upper India. He passed the Intermediate examination in 1888, in the first division, standing eleventh in the list of successful candidates of the Calcutta University—as there was then no Allahabad University, in existence, to say nothing of the Patna University—and first amongst those of the North-west Provinces and Oudh, as the present United

Provinces of Agra and Oudh was known at that time. He won the Vizianagaram medal, and also secured a Government scholarship, besides obtaining the Mitra Medal, for standing first in Sanskrit. In 1890, he graduated by taking the B. A. degree, standing first in the Allahabad University, with honours in philosophy, and crowned a brilliant academic career by taking the degree of Master of Arts when he was just twenty-one.

II.

In 1893, Dr. Jha was appointed Librarian of the Darbhanga Raj Library. Maharaja Sir Lakshmeshwar Singh—the then proprietor of the Darbhanga estate—very much desired that his library should be one of the richest in the country, before it was thrown open to the public. Dr. Jha was entrusted with the task of re-organising the library, with that object. He set about his work with zeal and earnestness, all his own, and with the ungrudging financial grants that he received from the Maharaja he was able, in no time, to make a large and excellent collection of books, including valuable manuscripts in Sanskrit. During the period he was in charge of that Library, he also utilized his time, to great advantage, by making a deep study of Hindu law and philosophy, in the original Sanskrit texts. Here he translated, into English, some difficult Sanskrit works

on Hindu philosophy, which established his reputation as a sound Sanskrit scholar. He remained, in charge of the Raj Library, at Darbhanga, till 1902, and it was there that I had the privilege of making his personal acquaintance, in 1894, which ripened into life-long friendship. Since I settled down at Allahabad, in 1896, and he lived there permanently from 1902, till his death, in 1941, we were naturally brought into close contact during all those years. In 1902, Dr. Jha resigned the post of the Librarian, at Darbhanga, and went to Allahabad as Professor of Sanskrit, at the Muir Central College. Dr. Thibaut —a very distinguished Sanskrit scholar, who was the then Principal of the college—liked Dr. Jha immensely, and it was mainly due to his initiative and support that he (Dr. Jha) entered the Provincial Educational Service, in November, 1902. As a Professor of Sanskrit he became very popular with all—his superiors, as well as his colleagues, and subordinates. He proved a highly successful teacher, and was immensely liked by all the students, who had an opportunity to sit at his feet.

In 1805, Dr. Jha was nominated a Fellow of the Allahabad University, and also a member of the Faculty of Arts. In November 1910, he was, according to the provisions of the Act then in force, ballotted out, but was renominated, and was then elected to the Syndicate of the University. In 1907, he began

to edit, with the co-operation of Dr. Thibaut, a learned quarterly journal called *Indian Thought*, which was mainly devoted to the printing of English translations of important texts of Sanskrit literature, and which rendered valuable service to the popularisation of its study in the United Provinces, in particular, until, on Dr. Jha's transfer to Benares, in 1918, it ceased to exist. In the year 1909, he appeared for the degree of Doctor of Letters, for which he wrote an erudite thesis, both in English and Sanskrit, on one of the leading systems of Hindu Philosophy, the Prabhakara school of Purva Mimansa. His *viva voce* examination was held in 1909, when he received the degree of Doctor of Literature, at the annual Convocation of the Allahabad University, held in November of that year, being the first to receive such a signal honour. In 1910, the title of Mahamahopadhyaya, was conferred on him by Government, in recognition of his very high position in the domain of oriental learning and scholarship. In 1918, he was transferred to Benares, where he held the important post of the Principal of the Sanskrit College, being the first Indian to occupy that office with great credit and distinction. In 1921, he was promoted to the Indian Educational Service—the highest official cadre—and was nominated by the Governor-General as a member of the Council of State of India, at Delhi. In 1925, the

Allahabad University, in appreciation of his deep learning and erudite scholarship, in the domain of Sanskrit literature, conferred on him the degree of Doctor of Law, *honoris causa*, and the Benares Hindu University, in 1936, conferred on him the honorary degree of Doctor of Literature. He thus served as a Professor of Sanskrit at the Muir Central College, at Benares from 1902 to 1923, that is, for the long period of twenty-one years, and his work, in both these important offices, justly brought him great credit and renown. His work at Benares established also his reputation as a sound administrator.

From 1923 to 1932, Dr. Jha was elected thrice as the Vice-Chancellor, of the Allahabad University, in which capacity also, he distinguished himself notably, in many ways, of which I shall say something later, and in some detail. Even in his retirement, he wrote a number of standard works, both in English and Hindi, connected with Hindu law and philosophy. Apart from the high academic distinctions conferred on him by the Allahabad and Benares Universities, and the titles (including a knighthood, in 1941) bestowed upon him, by Government, he enjoyed the rare distinction of being elected, in 1941, a corresponding member of the British Academy, the only other Indian to share that distinction being Sir Sarvapalli Radhakrishnan, the Spalding Professor at the Oxford University, and a

scholar of international reputation. He was also an Honorary Fellow of the Royal Asiatic Society of London.

III.

Apart from being a distinguished scholar and renowned educationist, Dr. Jha possessed, as a man, high moral character, genial temperament, and generous outlook. These traits of his character were brought into striking relief during his tenure of office as Vice-Chancellor, which covered the long period of nine years (three terms, of three years each), and was so notable in its achievements that I should refer to it, in some detail. When the Vice-Chancellorship of the Allahabad University fell vacant, in 1923, Dr. Jha was unanimously elected (by the Executive Council, and the Court) to fill that highest academic position. This was the crowning summit of his distinguished career, as an educationist. He held that exalted office for nine years, and served the University with unparalleled devotion and success, enjoying, in an unequalled measure, the confidence alike of his colleagues, the staff, and the students. As recorded by an educationist of considerable experience, who was in touch with the work of Dr. Jha, as Vice-Chancellor, "his moral qualities proved an asset of great value." "He treated everyone," says the writer, "as an equal without being conscious of his own superior posi-

tion. Strong without being offensive, meek without being subservient, he impressed admirers and opponents alike. He was a man of few words, and though chairman of several bodies (where much parliamentarianism was noticeable, at times), he maintained his discreet economy of words, and one looked to him in vain for the heavy stimulant of democratic eloquence. Any temptation to sneer, or to make an insulting remark, had little chance of success with him. His knowledge, culture, gentleness of manner, and above all, his simplicity of character disarmed opposition to his academic policy." As a seasoned educationist, we are informed by the same writer, "he conducted meetings with fairness, courtesy and dignity. His clear grasp of issues, and his vast academic experience enabled him to reach decisions quickly, and give his rulings with a promptness which was an agreeable surprise to many of us. His wit and repartee sometimes averted ugly situations. When a famous memorandum was discussed by the Court, hot words were exchanged by members, and Mr. (later, the Hon'ble Dr.) Hridaynath Kunzru indignantly asked the Vice-Chancellor whether a particular expression was parliamentary. He (the Vice-Chancellor) retorted that he was not a parliamentarian, and, therefore, could not say whether it was so or not, but it was certainly improper language for an

academic body like the University Court. An iron will lay behind his simple exterior, and a resolute determination which nothing could shake when convinced of the correctness of his position." No praise could be higher than that contained in these remarks, by one who had watched Dr. Jha's work, as Vice-Chancellor, at close quarters.

After the successful termination of his Vice-Chancellorship, in 1932, when Dr. Jha left the University, the latter gave him a grand farewell. Sir Malcolm (now Lord) Hailey, the then brilliant Chancellor of the Allahabad University, in the course of his valedictory address, on that memorable occasion, happily described Dr. Jha as "unassuming and unostentatious". This great function was but a fitting tribute to the splendid services of one who had presided over a great seat of learning, with the distinction of an experienced administrator, but with the simplicity of the ideals of scholars associated with the inmates of *ashrams* in ancient India. Dr. Jha had often criticised the Government for its niggardliness towards the system of higher education imparted at the University. Such frank expressions of his opinion naturally caused a flutter in the bureaucratic dovecots of the official hierarchy; but he never refrained from uttering what he regarded as truth, in the interest of the great institution over which he so successfully presided. He thus

left a unique record amongst the successful Vice-Chancellors of Indian Universities. When he was retiring from the office of the Vice-Chancellor, the Allahabad University Court decided to name a new hostel after him, so as to commemorate his long association with the University, and also recommended to the Chancellor Dr. Jha's appointment as a Life Member of the Court, which was given effect to, as desired by them.

IV.

Dr. Jha was widely known as a great scholar of Sanskrit literature. And though some unfriendly critics occasionally remarked that he had not produced anything original, but only adaptations and translations, yet those qualified to speak of his works had declared them to be monuments of prodigious industry, intellectual subtlety, and mastery alike over the resources of the Sanskrit and the English languages. There can be no doubt that the latter estimate was quite correct. Dr. Jha's studies in Sanskrit literature covered a wide range, and extended to law, philosophy, prosody, and other branches of ancient Indian learning, and among Indian scholars he occupied a prominent place in the front rank. His numerous works are sufficient to form by themselves a decent and highly useful collection for a student of Sanskrit studies. His Calcutta University "Kamala Lectures", delivered in

1926, were published under the title of *Philosophical Discipline*, and form an instructive study. For the translation of the *Mimansa Sutras* of Jaimini, he was awarded the Campbell Gold Medal by the Bombay Branch of the Royal Asiatic Society in 1937. He also delivered a learned and luminous course of lectures at Baroda, which were published, in 1939, under the title of *Shankaracharya and his Work for the Uplift of the Country*. In 1940, he delivered another course of lectures (founded by the late Maharaja Sir Rameshwar Singh of Darbhanga) which was issued under the title of *Vedant Philosophy*. He thus delivered many courses of lectures and presided over many learned conferences, and his scholastic activities extended over a vast field, with the result that his name will long continue to be a household word even amongst foreign scholars. I shall quote the following extract from a letter addressed to him by Professor Otto Strauss, one of the most eminent Indologists of Germany. In the course of the letter, he wrote to Dr. Jha : "Dear Mahamahopadhyaya : It is this old and beautiful title among all you bear, with which I beg to address you on your sixtieth birthday. For you have been a real 'Upadhyaya' to all of us, who strive to understand the philosophical systems of ancient India. Without your works on Mimansa, Nyaya, and Vedanta, I could not have written the humble contribution, which you perhaps

know by name. You appear to me as the happy blend of ancient Pandit, with his depth of knowledge, and of the modern scholar with his wide horizon. May God grant you many years to come, in such a freshness, that you may be able to continue your labour for the good of all who are approaching the jewels of ancient Indian thought." Than this there could be no higher praise for an Indian scholar of Sanskrit, coming as it did from one of the greatest European scholars of Indian philosophy.

Dr. Jha had been long since recognised as one of the greatest scholars in India. He was elected President of the second Philosophical Conference, and the third Oriental Conference, held at Madras, in 1924. Besides receiving, as mentioned above, the Campbell Gold Medal, conferred on him by the Bombay branch of the Royal Asiatic Society, the Royal Asiatic Society of Great Britain and Ireland elected him, in 1937, an honorary member, which was a very high distinction, as it is confined to but thirty foreign orientalists of outstanding merit. The British Academy also, as stated above elected him, in 1941, an honorary corresponding Fellow, a distinction which but one other Indian has yet received. Government were rather late in recognising his outstanding contributions to scholarship, for it was but a few months before his death, in November, 1941, that he was knighted. Some

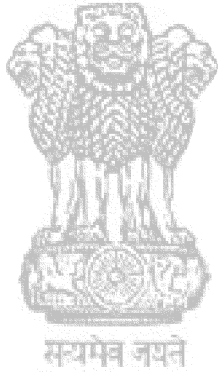
friends and pupils of Dr. Jha presented to him, in 1932, a *Commemoration Volume* of essays on oriental subjects, on the completion of his sixtieth year, in 1931. The contributors included several European scholars, of international reputation, including Dr. Kieth, Dr. Winternitz, Dr. Konow, and Dr. Otto Strauss, who wrote to Dr. Jha, in connexion with the presentation of the book, the letter from which I have made an extract above. Dr. Jha's whole life was thus devoted to the study, exposition, and popularisation of Sanskrit literature, in general, and of Indian philosophy, in particular. It is but fair to state that it is due to his translations of Indian philosophical classics that there is now the widespread interest in Indian philosophy, both in India and outside the country. Dr. Jha was a practical philosopher, who, while living in great simplicity, achieved the highest distinction in the domain of learning and scholarship. He died after seeing his second son—Professor Amarnath Jha—elected, in 1938, to the vice-chancellorship of the Allahabad University.

Soon after Dr. Jha's death, there was an earnest desire expressed that his services to research and scholarship should be commemorated by the establishment of a suitable memorial. Accordingly steps were taken by the friends and admirers of the deceased scholar, and funds were raised for

the object in view. On the second anniversary of of his death, in November, 1943, the Ganganath Jha Memorial was duly inaugurated, at Allahabad, by Pandit Madan Mohan Malaviya, at a representative meeting, presided over by the Right Hon'ble Sir Tej Bahadur Sapru. The Memorial is a well-equipped Institute which will organise research in oriental languages, and will have full-time salaried scholars to assist students in their work. A number of stipends will be given to the students for carrying on original work. It has its own library of about five thousand books. Many manuscripts, some of them being on palm leaves, have been received by the Institute, which has also started a quarterly, called *The Journal of the Ganganath Jha Research Institute*, with a provincial board of editors consisting of several eminent scholars. Its first issue appeared in November, 1943, and it will worthily sustain a high standard of research in oriental languages. And so, Allahabad, already a great educational and cultural centre, has had now added to its great institutions another, with the opening of the Ganganath Jha Research Institute. It was in the fitness of things that this highly useful institution, which will commemorate Dr. Jha's services to learning and scholarship, should have been established at Allahabad, the sacred city with which he had been so long associated, and which will

keep alive the memory of a great scholar, of whom it can justly be said, in the words of Shakespeare:

> His life was gentle ; and the elements
> So mix'd in him, that Nature might stand up
> And say to all the world : "This was a man" !



Mr. JUSTICE KULWANT SAHAY
(1873—1940)

A distinguished judge of the Patna High Court was Mr. Justice Kulwant Sahay. Born in 1873, (in the Gaya district), he matriculated from the St. Xavier's School, Calcutta, in 1888, and then joined the college department of the same institution, and graduated, in due course. After taking his B. L. degree, he was enrolled as a Vakil, in the Calcutta High Court, in 1898. In due course, he acquired a distinct position for himself as a painstaking and industrious junior, as he applied himself assiduously to the study of law with keenness and diligence. His services came to be retained in almost all the important cases from Bihar, and some of the eminent seniors (like the late Sir Rash Behari Ghose) used to recommend his engagement, as his knowledge of case-law was very helpful to seniors in getting up complicated cases. As he lived till 1915 mostly in Calcutta, I knew him slightly until the Patna High Court was established in March, 1916, when he transferred his practice to it. Before long he attained in the new High Court the leadership of the Indian section of the Bar, and came to be held in great esteem alike by the judges, and the profession. His high position at the Bar was

duly recognised by his appointment as the Government Pleader in succession to Sir Muhammad Fakhruddin, on the latter's appointment as a Minister. Kulwant Sahay's advocacy was powerful, but at the same time dignified. He used to present his client's case with eloquence and fervour, but with no element of passion. At that period he enjoyed perhaps the most extensive practice on the civil side.

In November, 1922, the question of the appointment of two additional judges in the Patna High Court was taken up by the Local Government, and it was decided that one of these should go to a practising lawyer. It is an open secret that the then Chief Justice strongly favoured the appointment of another lawyer, but as the Member of the Executive Council, holding the portfolio of Justice, I found no difficulty in getting the recommendation of the Chief Justice down, because of Kulwant Sahay's unique position in the Indian Bar. His appointment—and subsequent confirmation as a permanent judge—was acclaimed in all quarters, and gave universal satisfaction, alike to the Bar and the litigant public. Sir Ali Imam in welcoming him, on his being inducted into the highest judicial office, rightly remarked that "for industry, devotion to duty, sound legal knowledge and forensic ability, there are few who are your lordship's equal. The parties before you will rest assured that you will

dispense fearless and independent justice, always keeping the scales even; of that we have not the slightest doubt in our minds, because your brilliant past career is a complete guarantee of the fulfilment of our hopes and expectations." In his reply the new judge said : "It will be my earnest endeavour to do that even-handed justice between the Crown and the subject, and man and man, for which alone this court exists." Mr. Justice Kulwant Sahay lived up to his ideal. As a judge he always admired fearless advocacy coupled with dignified self-restraint, and disapproved of even an unconscious departure from this high standard. In the well-known case in which Mr. Nirsu Narayan Sinha —afterwards Finance Member, Bihar and Orissa— had been convicted, in 1926, of defamation, by the two lower courts (because of the use made by him of the expression "silver tonic", in the course of his cross-examination of a Sub-Inspector of Police), Mr. Justice Kulwant Sahay, in delivering his judgment of acquittal, thought it proper to add a note of caution to advocates by observing : "I would, however, desire to observe that advocates in the discharge of their onerous and sacred duties must be very careful not to give rise to the faintest suspicion of a personal element in their speech or action as advocates". He gave equally friendly warning— within the limits of judicial propriety—

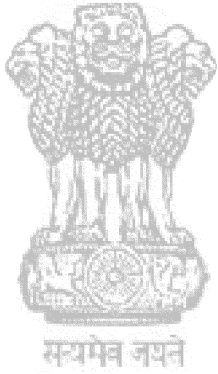
to judges and magistrates, when they transgressed the law, or the bounds of propriety.

A notable incident in Mr. Justice Kulwant Sahay's judicial career was in connexion with a criminal case. In the course of a judgment he had tried to maintain the dignity of the High Court, and felt bound to censure the action of a magistrate, when informed that the said officer had ignored the order of stay of proceedings passed by the learned judge. "Having regard to the circumstances of the case, I am clearly of opinion," said he, "that the action taken by the magistrate was wholly irregular and unwise, and he has laid himself open to grave censure," and in the result, the order, under revision, was set aside, and the case transferred to another magistrate's court. It is interesting to recall in this connexion that the Provincial Government (in the Appointment and Political Departments) felt so much perturbed by these sound judicial observations that they wrote to the Chief Justice in order that the said remarks might be deleted from Mr. Justice Kulwant Sahay's judgment. As there is no skeleton in the cupboards in India, the matter obtained immediate publicity, and the request made by the Executive to the Chief Justice was deeply resented by the whole High Court—Judges and the Bar alike—as well as the public at large, and the provincial press. It was the subject

of excited speeches at the annual Bar dinner of 1925, at which Sir Ali Imam led the opposition by promising the Chief Justice the unconditional support of the Bar in his fight with the executive for the independence of the judiciary. The members of the Legislative Council ventilated the matter on a budget motion which was duly carried, in spite of the strenuous opposition on the part of the Government. The speeches made by the elected members strongly censured the Government for their extraordinary attempt at interference with the independence of the highest judiciary in the province.

Mr. Justice Kulwant Sahay was fortunately for the accused, rather a slow judge, as he studied every page and every line of the paper-book and considered every case cited, before making up his mind as to their guilt or innocence. He was always open to conviction, and gave the Bar a most patient hearing. Justly valued as a colleague by his brother judges, and highly respected by the Bar for his sound legal learning, judicial acumen, and exemplary patience, he retired amidst the universal regret of the Bench and the Bar. In his private life Kulwant Sahay was simplicity personified. He lived up to the ideal of plain living and high thinking, as the result of a religious turn of mind. He lived at Patna in his palatial house

in the heart of the city, in right orthodox style, always dressed in Indian fashion and never affected western habits and manners in the matter of food or costume. He died in 1940, seven years after his retirement from the Bench, and his memory as an upright and independent Judge is still a cherished possession of the people of Bihar, in general, and the legal profession in the province, in particular.



Mr. JUSTICE JWALA PRASAD
(1875—1933)

The passing away, at the rather early age of 58, of Mr. Justice Jwala Prasad, in March, 1933, was received with profound sorrow throughout the province of Bihar and Orissa. He had officiated four times as the Chief Justice of the Patna High Court, and had occupied, as a puisne judge, a seat on its bench since its establishment in March 1916. Born in 1875, (in the Shahabad district of Bihar) Jwala Prasad was educated at the Arrah Zilla School, where he and I were class-mates. He matriculated in the Calcutta University, in 1888, at the early age of thirteen, and then joined the Patna College. But before he could graduate himself, he went to Allahabad, and took the B. A. degree from the Muir Central College, there, in 1893, and obtained first class honours in English, standing first in the University, and receiving the Queen-Empress Victoria Jubilee Medal. He took the LL. B. degree in 1895, again topped the list of the successful candidates, and was awarded the Jubilee Bursary of Rs. 200. Thus his academic career was brilliant all through.

Having highly distinguished himself at Allahabad, he was offered a post in the Provincial

Executive Service of the then North-Western Provinces and Oudh (since then the United Provinces of Agra and Oudh), but he preferred to take up the profession of law, and was enrolled as a Vakil of the Allahabad High Court, in 1896. As he desired, however to practise in his native province, Bihar, there were troubles ahead. There was no reciprocity at the time between the Calcutta and the Allahabad High Courts. Just a few months after his enrolment, the Calcutta High Court had ordered a Biharee graduate in law, of the Allahabad University, to stop practising in Bihar. Thus, just when Jwala Prasad desired to settle down to practise at Arrah (the head-quarters of Shahabad, his native district), he found himself confronted with an almost impassable barrier. But with his usual robust optimism he collected facts and figures bearing on the point, and submitted a well-reasoned statement before the Calcutta High Court, which, on a careful consideration of the matter, decided in favour of the eligibility of the graduates in law of any University to be enrolled in the Calcutta High Court and to be allowed to practise in the courts subordinate to it. This was the first achievement as a lawyer of Jwala Prasad.

Having joined as a legal practitioner at Arrah, in 1896, Jwala Prasad got himself enrolled as a Vakil of the Calcutta High Court in 1899. He

officiated later as a Munsif (or Civil Judge) for some time, but gave up the idea of continuing in the judicial service, and decided to stick to the Bar, where he soon obtained, by reason of his legal acumen, uncommon industry, and great diligence, a distinctly recognised place both on the civil and criminal sides. He was appointed Government Pleader in 1903, and in that capacity he conducted some of the most important civil and criminal cases in the province, as a capable junior to some eminent counsel. As public prosecutor, he maintained the highest traditions of that office and (unlike the common run of that class) he did not think it to be his duty only to try to secure convictions. On one occasion, in 1915, the Sessions Judge (later, a High Court Judge) put to him the question—evidently struck by his strong sense of fairness to the accused : "Are you appearing for the prosecution, or the defence ?" Straight came the answer: "For neither; I am appearing for the Crown." He commanded for years a highly lucrative practice at the Arrah Bar, and amassed quite a fortune before he was elevated to the Bench of the Patna High Court, on its opening in March, 1916.

In 1914, Sir Charles Bailey, the then Lieutenant-Governor of Bihar and Orissa, in one of his Durbar speeches, observed as follows of Jwala Prasad's valuable service: "You have earned a very high

reputation for integrity and efficiency in the practice of your profession, and as Government Pleader you have been of great assistance to the local officers at whose disposal you have ungrudgingly placed your time and knowledge, with the very best results. Your conduct of prosecution was as remarkable for its fairness, as for its skill, and earned for you the unstinted praise of the Court". In 1915, again Sir Charles spoke of him in eulogistic terms on the announcement of his appointment as a High Court Judge: "I have learnt", said he, "with a gratification, which I believe to be generally shared throughout the province, that His Majesty has been graciously pleased to approve of your appointment to the highest judicial office in the province, which is open to the branch of the legal profession, of which you are so distinguished an ornament. May I add that I see in that appointment encouragement for every man of good ability, who does his work honestly and without fear, sticks determinedly to his business, and uses his powers with a single eye to the advancement of the public weal." These compliments were, indeed, well-deserved.

II.

From the day he took his seat on the Bench, Mr. Justice Jwala Prasad's career had been marked by untiring patience, judicial acumen and, above all, sturdy independence. During the more than

sixteen years he adorned the Bench, he justly acquired a reputation for remarkable patience, unstinted zeal in looking into the original records, and ferretting out important points (which did not sometimes strike even the lawyers, themselves) and, above all, for a conscientious discharge of his onerous and responsible duties. Apart from his judicial work, he did valuable service as a member of the Senate of the Patna University, and he continued to be one of the most influential and active members of that body till his death. In that capacity, he always espoused popular cause and, with his singular tenacity of purpose and indomitable will, he tried to solve intricate educational problems to the best of his lights, regardless of the opposition from the solid phalanx of the so-called educational experts.

The public of Bihar and Orissa will continue to appreciate highly the work and worth of Mr. Justice Jwala Prasad as a great judge who, for over sixteen long years, maintained unsullied the great traditions of the highest judicial office in this country. He was the last judge on the Bench of the Patna High Court of the original seven whose names figured in the Letters Patent constituting the Court. Although his tenure of office as an Acting Chief Justice had been, on each occasion, a short one, yet his work in that capacity gave

unbounded satisfaction, as he did his best to preserve intact the high traditions of that exalted office. Socially, he was immensely popular amongst a large circle of friends, who held him in the highest esteem and regard, alike for his many great qualities of head and heart—his intellectuality, love of fairplay, strong sense of justice, simple habits, and willingness to help every good cause.

On the occasion of the reference in the High Court, a very touching and warm tribute was paid to Mr. Justice Jwala Prasad's memory by Chief Justice Terrel—from which I may quote a short extract. Said Sir Courtney: "He was trusted by the people as few judges have the happiness to be trusted. Throughout his career no whisper could be heard of a suggestion of any unworthy motive in the decisions which he gave. It was known that whoever appeared before him, of whatever caste or whatever creed, received justice with the whole single-minded devotion of the Judge who heard their case. He was one, I think, of the most conscientious men I ever met, and no judgment that he gave was arrived at without the most painstaking devotion to the ascertainment of the truth, and the application of the law." Higher praise than this to the memory of a judicial officer it would be difficult to conceive. Yet, it may be recalled that when his elevation to the High Court Bench

was announced, in 1915, the news was received unfavourably in several quarters by reason of the fact that the Judge-designate was not a High Court practitioner; and some sections of the press indulged in adverse comments. Mr. Justice Jwala Prasad thus started his judicial career handicapped by such obvious disadvantages. It was not long, however, before he succeeded in turning the tide in his favour. In less than a couple of years from the date on which he took his seat on the Bench, he had won the esteem and regard alike of his colleagues, and of the Bar. In the fulness of time he justly acquired the reputation of being a great Judge, and, when he went to Simla to receive the insignia of knighthood, he was entertained at a banquet by Dr. (afterwards the Rt. Hon'ble Sir) Tej Bahadur Sapru, the then Law Member, who in the course of his speech, on that occasion, paid a glowing tribute to Mr. Justice Jwala Prasad's work and worth as one of the greatest judges in India.

DEEP NARAYAN SINGH
(1875—1935)

Deep Narayan Singh, who was born in 1875, and was a native of Bhagalpur, represented a unique type of a political worker whose career deserves to be studied for more reasons than one. I met him first, in December, 1888, at the fourth annual session of the Indian National Congress, held at Allahabad, where he had gone with his father, Rai Bahadur Tej Narayan Singh, the founder of a first-grade College, at Bhagalpur, which is named after him. "Deep"—as I used to call him—was then a boy of about thirteen, and I, a student of the first-year class of the Patna College at that time, was a lad of seventeen. Our casual acquaintance at Allahabad soon ripened into friendship, and since 1891 (when we met again in London), we had been the closest of friends till his death, in 1935. In fact, during the long period of over four decades, we lived like brothers, and no differences in our political opinions, or public activities, ever brought our truly fraternal relations under a cloud. Deep Narayan's life of sixty years was a crowded one, and it had left a deep impress on the educational, cultural and social life of Bihar, by reason of his being an apostle of culture and sociability. He was educated mainly in

Calcutta—which was then not only the seat of the Government of India, but also the capital of Bengal, Bihar and Orissa—and he left for London, in 1891, at the early age of sixteen, accompanied by his father. With some other Biharee students, I also was on the platform to receive the founder of the Bhagalpur College, and his son, on their arrival in London, on a chilly morning in March. Deep Narayan joined (at my suggestion) the Hon'ble Society of the Middle Temple, which was, of the four Inns of Court, then the greatest favourite with students from Bihar. He was called to the Bar in 1896—the same year in which his father passed away, in London—and returned to India, early in 1897.

II.

Since then Deep took a prominent part in the political activities and public life of the province. Being the owner of a large estate, he never got himself enrolled in any High Court, as an Advocate, with a view to practise at the Bar. Besides engaging in public activities, he was an inveterate traveller, both in India and abroad, and stayed for many years, in Europe, especially in Britain and France. He also undertook more than one world-tour. His travels abroad covered a period of not less than fifteen years. Very few of our generation had travelled so extensively in India as Deep—literally from Kashmir

to Cape Comorin; while he had visited, time after time, not only the countries of western Europe, but even Russia, and also more than once, Japan, and both North and South America. The result of such extensive peregrinations, during which he used an alert mind and an observant eye, was that Deep was one of the most well-informed Indians of his generation, on international affairs, and also one of the most broad-minded and cultured, and most popular as well.

On his return home, in 1897, Deep Narayan found the college, established by his father, in an unstable condition, and after much trouble and expenditure he saved it, and put it on a sound financial basis. In doing so he incurred large liabilities, and made it one of the chief beneficiaries of his estate. He then applied himself to political activities, and was elected Chairman of the Reception Committee of a session of the Bengal Provincial Conference, held at Bhagalpur, in 1901, and later President of the session of the Conference, held at Berhampore (in Bengal), in 1907. For the next few years he took a prominent part in the stormy politics of the time, consequent on the now long-forgotten partition of Bengal, which had been carried out by Lord Curzon, in 1905. In 1909 he organised a successful session of the Bihar Provincial Conference, at Bhagalpur. In 1910, he was elected

a member of the Bengal Legislative Council and in that capacity attended the Delhi Durbar of 1911, at which King-Emperor George V announced, in person, the revocation of the partition of Bengal, and the constitution of Bihar and Orissa as a separate province from Bengal.

Early in 1912, Deep left for Europe and stayed there for about five years, returning to India in 1916. It was not till 1920 that he met Mahatma Gandhi, and, intensely emotional by nature, he suddenly became a convert to the latter's views and ideals, and formally joined the Non-co-operation Movement, inaugurated in that year. The whole of 1921 he spent in active and strenuous work for the Congress by making an intensive tour in the interior of the Bhagalpur district, on bullock carts, for establishing Congress Committees, and collecting a lakh of rupees for the Tilak Swaraj Fund, which he successfully accomplished. In 1922, when the session of the Congress was held, at Gaya, Deep was one of the chief workers. It was at this session of the Congress that the Swaraj party was formed with a view to work the Montagu-Chelmsford Reforms; but, though sympathising with its efforts for parliamentary activities, Deep did not join it, but continued to give his time and money to the larger no-change section of the Congress, which followed Mahatma Gandhi's lead, for its programme of (what was then

called) "constructive work," as opposed to the parliamentary work of the Swarajists. Deep stuck to Congress programme and activities, and in the Civil Disobedience campaign of 1930, he took a very active part, and was appointed the Congress Dictator in Bihar. While attending a meeting of the Working Committee of the Congress, he was arrested, and imprisoned for four months.

"A prisoner of war"—as he called himself—Deep spent four very happy months in the Central Jail, at Hazaribagh—a delightful hill station in Bihar—and thoroughly enjoyed his incarceration—just "for a change", as he himself put it ! Inside the jail, he managed to surround himself with many of his amenities—daintily-contrived, toothsome, four-course lunches; elaborately-designed, six-course *recherche* dinners; delicious high teas, one-foot long Havana cigars, and last but not least bridge parties till midnight ! His wife—known to many of us as "Lil"—fully sympathised with Deep's political ideals and aspirations. Daughter of Sir Tarak Nath Palit—a leading lawyer and philanthropist, who donated thirty lakhs (over £ 200,000) to the Calcutta University—she was born in London in 1879 and died in 1941. A highly talented and a most accomplished woman, well versed not only in English, but French, and in French cookery, as well, it was she who mainly contrived, by taking up her

abode at Hazaribagh, close to the jail, for Deep's princely style of living in the jail, of which I was an "eye-witness", having visited him there more than once, though (not being a prisoner) I was not allowed to enjoy his hospitality !

On his release from the Central jail, after serving out his full term of imprisonment, when the Congress Parliamentary Board came into existence, Deep was elected, unopposed, as a member of the Indian Legislative Assembly, which seat he was holding at the time of his death. He was nominated by His Excellency the Chancellor a Life Fellow of the Patna University Senate, in recognition of his valuable services to the College, at Bhagalpur, founded by his father. He was ever ready to extend a helping hand to students, and was specially interested in the education of girls. He was also a great believer in the development and expansion of technical education, and his last notable act, as a philanthropist, was the gift to his province of his entire estate—valued at several lakhs—in trust for the advancement of technical education, in Bihar, the creation of which beneficent endowment was an ever-lasting monument of his life. He ear-marked nobody to benefit out of his assets, not even his wife, but gave all he had to a great public cause. Thus his name stands high on the roll of Indian philanthropists.

III.

Of Deep Narayan Singh's public activities and

philanthropic work I could say much more, but it is not necessary to prolong their record. Suffice it to say that it can be unhesitatingly affirmed of him, that he was a very harmonious blend of the best in Indian and Western cultures. His interest in the fine arts was life-long, and Indian music lost in his premature death one of its warmest patrons. Born, as the phrase is, with a silver spoon in his mouth, brought up in the lap of luxury, intimately familiar with the niceties and refinements of both eastern and western styles of life, he had reduced the art of living to a fine art, and had become such a skilled hand at it, that (as stated above) he managed to secure even in jail many of the amenities, if not all the luxuries, he had been accustomed to. Until 1920 (when on joining the ranks of Gandhian Congressmen, he adopted *khadi* cloths for his costume) he affected foreign style of clothing, and was one of the best-dressed Indians in his time, his suits coming from the most fashionable tailors in Bond Street and Saville Row, in London. Since taking to *khadi* he (with the single exception of Pandit Motilal Nehru) was unique in dignifying that horribly plain stuff, and extracting, out of its drab and dull monotonousness, beauty of a high order, in the cut and style of his clothes. Thus whether he habited himself in imported stuff, or in indigenous *khadi*, he was the best-dressed man in Bihar, and one of the

very best in India—a very paragon of aestheticism, elegance, and refinement. Thus he lived well, played well, spent well, served well, and worked well; his motto being the ideal embodied in the well-known stanza by Landor:

> I strove with none, for none was worth my strife;
> Nature I loved and, next to Nature, Art;
> I warmed both hands before the fire of life,
> It sinks, and I am ready to depart.

Deep's personal relations with those he differed with in politics were always friendly, and had no trace of acerbity, or bitterness. This was not only a notable, but a highly commendable, phase in his character, which was widely appreciated by his political adversaries, and also by those who (like me) did not belong to his school of political thought. Another remarkable trait of his character was his absolute freedom from communal bias. His generosity and munificence were ever independent of communal considerations. One had only to know him to admire him for his catholicity, for he knew not what communalism was. In fact, some years before his death he was much perturbed at the growth and development of the communal spirit in the country. Had he now been alive, he would have been, I am sure, most miserable, at the turn communalism had lately taken in the land. It is as well perhaps that he passed away

before communalism became so rampant as it has been during the last few years.

But apart from these aspects of his character, beyond all doubt, the most attractive feature of Deep was the charm of his personality. The man in him was ever so much greater than anything else about him. By his winning manners, rare *bonhomie*, irrepressible geniality, and enviable urbanity, he won over everybody who came in contact with him, and to know him intimately was to love him. He mixed equally freely with all he met—the rich and the poor, the old and the young, the best and (if not the worst), at any rate, even the doubtful elements in humanity. As such there was not a single community, in Bihar, which did not respect and love him for his sterling sincerity, his love of fairplay, and his freedom from communal bias, or racial prejudice. He was a man, whose liberal-mindedness, breadth of vision, and numerous other qualities, that make a man really great, were striking features of his great personality, which deserve to be appreciated and emulated.

Such was Deep Narayan Singh, as I knew him. Bihar lost in him not only a man of culture, but one who was in every sense of the term a great gentleman. Though popular with all classes and sections, his popularity was not at all based on a mere facile temperament. It had a much deeper

foundation—an almost infectious good cheer, and a mentality which refused to acknowledge defeat under any circumstance. More than that, he was also a patriot, who considered no sacrifice too great for the cause of the country. His memory will be cherished by a large circle of friends as an example of steadfast loyalty to the cause for which he stood, and with which he had identified himself. If he did not rise higher in the ranks of the Congress—either as a member of its Working Committee, or as President—it was because his intense emotionalism (even though accompanied by intellectuality of a high order), coupled with his unsteadiness, due to characteristic lack of application, prevented his achieving for himself the position which he would have otherwise deserved.

Socially, Deep was a charming companion, a brilliant *raconteur*, a most interesting conversationalist, a man it was a pleasure to listen to (since he had taken full advantage of his extensive travels to profit by personal observation and wide reading), and a man withal of artistic taste, and exquisite refinement. Bihar thus produced in Deep Narayan Singh a distinct type of public man and publicist, from a study of whose career we may profit—particularly those of his own school of political thought, many of whom have much to learn from his example. In the course of the tributes paid to

his memory, in the Indian Legislative Assembly, this is what the leader of the non-official British group said of him : "Mr. Deep Narayan Singh became, with his culture, and with his charming manner, an object of very kindly regard, and, I may say, affectionate regard, of all those who came in contact with him"; to which the President of the Assembly added that "though he spoke seldom, whenever he did speak, he spoke with effect." It is a pity that Deep seldom took part in debates, since (as testified to above) he was a capable and an effective debater. And it was only befitting that in the tributes paid to his memory, in the Legislative Assembly, not only his colleague, speaking as the representative of the non-official British group, but the President also, should have identified themselves with their Indian colleagues in expressing their sense of regret and sorrow at the passing away of one who was one of Nature's gentlemen, and one who by reason of his culture and great intellectual attainments, was held by all who knew him in the highest esteem and regard.

SALAH-UD-DIN KHUDA BAKHSH
(1875-1931)

Salah-ud-din, who was born at Patna in 1875, and was the eldest son of Khuda Bakhsh, the Indian Bodley, was a distinguished scholar, of the modern type, and a great intellectual force amongst the Muslims in India. His was a vivacious and interesting personality, and a striking figure, for about a quarter of a century, in the intellectual world of Upper India. He was a scholar not only of English, but also of German, Arabic, Iranian, and Hindustani. His life was one sustained devotion to the great ideals of advancement of learning, which he had imbibed at Oxford, and which he made his own by his assiduous studies in Islamic literature. But though of Oxford, there was nothing Oxfordy about him. He was undoubtedly one of the ablest and most erudite Muslim scholars and writers of modern India. His fame was not confined to India alone, but had crossed the seas, and he was acknowledged, even in Western Europe, as a pre-eminently liberal expositor of Islamic literature, and Muslim history—the latter mainly non-Indian. He was also an educationist of no mean repute, and his connexion with the Calcutta University, as a Senator as well as a teacher, was an asset to it.

Salah-ud-din was the author of some useful and

informative books, and also a translator (from German) of a number of standard historical works on Arabian civilization, which were appreciatively acknowledged in cultured circles. Above all, he was a genial friend, equally popular with all, by reason of his freedom from communal or racial bias. He married a talented English woman, and his married life was quite happy. His witty remarks and recitations of Iranian and Hindustani verses were always appreciated by his hearers. In addition to his professional and social pursuits, he found time to write articles in various journals, which were always eagerly looked for by his admirers. He was, so to say, by inherited temperament, a great lover of books, and his library (consisting of several thousand volumes, and some hundreds of manuscripts) was a valuable collection. The instinct was hereditary, for the son of the founder of the world-renowned Oriental Library could not be expected to be without that particular trait in him. By his premature death, in 1931, at the age of fifty-six, the cultural life of India in general, and Bihar in particular, suffered a very serious loss. A man of erudition and culture, he possessed, in an extraordinary measure, what Matthew Arnold called "sweetness and light."

II.

Of the principal works, in English, standing to

the credit of Salah-ud-din, by far the larger number are translations of standard German histories of Arabian civilization and culture—the well-known works of Von Kremer, Wustenfeld, Becker, Weil, Brunow, Wellhausen, Adam Mez, and Joseph Hell. Thus, only three original works can be placed to his credit, and these are the two collections of essays, both published in London, in 1912, and 1927, and designated respectively : *Essays—Indian and Islamic*, and *Studies—Indian and Islamic* ; and also the second volume (published by the University of Calcutta, in 1930) of his *Contributions to the History of Islamic Civilization*, the first volume of which contained a translation of Von Kremer's *History*. The second volume contains both translation and also a few original essays by Salah-ud-din. It is mainly on these three books that his reputation as a critic, expositor, and thinker, stands.

An elaborate and well-considered estimate of Salah-ud-din, in the cultural progress of Indian Muslims, as evidenced by his collections of essays, is offered in *Modern Islam in India* by its talented author, Professor W. C. Smith, as follows : "The class content of the new religious position comes to its fullest expression in the writings of Professor Salah-ud-din Khuda Bakhsh. He was not unusually influential (though he did a good deal to introduce the scholarship of Western Orientalism into

Indian Islam). But he is important for two reasons : first, because he reflects faithfully the thinking of his class; and, secondly, because he has attracted very much attention in the West. His was not a deeply religious spirit. Nevertheless, he was deeply interested in his religion, as a factor in the society to which he belonged ; and he wanted to see it reformed. Like the others of this school, he saw the customs and superstitions of the old Islam as not intrinsic, but the expression of the decadent society to which they belonged. Using the results of Western scholarship, he would analyse them out of Islam. He did not, however, adopt the theory that he was but restoring Islam to its pristine purity, rather he innovated consciously, striving for a modern religion." Those who have studied the collections of essays, mentioned above, will be disposed to endorse the verdict of Professor Smith in regard to Salah-ud-din's attitude towards religion and also social, or rather sociological, progress.

In support of the views expressed by him about Salah-ud-din, which I have quoted above, Professor Smith cites the following passage from his works: "It would be the merest affectation to contend that religious and social systems, bequeathed to us thirteen hundred years ago, should now be adopted in their entirety without the slightest change or alteration". I may quote a longer passage in

furtherance of the same view: "Is Islam hostile to progress? I will emphatically answer this question in the negative. Islam, stripped of its theology, is a perfectly simple religion. Its cardinal principle is belief in one God and belief in Mohamed as his apostle. The rest is mere accretion, superfluity. The Qur'an, rightly understood and interpreted, is a spiritual guide, containing counsels and putting forward ideals to be followed by the faithful, rather than a *corpus juris civilis* to be accepted for all time. It was never the intention of the Prophet—and no enlightened Muslim believes that it ever was—to lay down immutable rules, or to set up a system of law which was to be binding upon humanity, apart from considerations of time and place, and the growing necessities arising from changed conditions. True, for the purposes of order and security and the preservation and maintenance of the new society created by Islam, he laid down rules regulating marriage, inheritance, and so forth, but these rules were mostly of a very elementary character and were intended to meet the existing conditions of things. The position of Mohamed, indeed, was that of a spiritual teacher, a prophet, and not that of a legislator. In the infancy of human society there is but a faint line of demarcation between law and religion, the two being inseparably connected with each other. With advancing civilization, the line

becomes clearer and sharper, and religion and law become separate and distinct. Such was the case at Rome, and such has been the case at Mekka."

To develop the point made above, Salah-ud-din proceeds as follows: "All respect and honour is due to the law laid down by Mohamed, but the very fact that Muslim jurisprudence grew into a stupendous fabric within an incredibly short time, partly by interpretation and partly by adoption of foreign rules, unmistakably proves that the legislation of the Prophet of Arabia made no claim to finality. It shows beyond doubt or cavil, that the law of the Prophet was neither wide, nor comprehensive enough to cover the newly-arisen conditions of life in which Muslims (Arabs) found themselves after their brilliant and extensive conquests". Again: "The requirements of Islam are at once easy and simple, and leave scope to Muslims to take part in their duties as subjects or citizens, to attend to their religious obligation without sacrificing their worldly prosperity, and to adopt whatever is good in any community or civilization without any interference on the part of their religion." As regards the method and process of change, he wrote: "We believe that opinion, and nothing but opinion, can effect great permanent changes"--that is, evidently by means of education, and freedom of thought, since he declared that "there is nothing in its (*i. e.*,

Islam's) teachings which conflicts with or militates against modern civilization." These few extracts from Salah-ud-din's writings and passages declaring similar sentiments could easily be multiplied, picked out, from his collections of essays, mentioned above—clearly establish that he was a liberal interpreter of Islam, and a rationalistic (as opposed to a dogmatic) expositor of his religion. As such, he was much in advance of his time, in this country.

III.

The detailed discussion of Salah-ud-din's attitude towards Islam, and progress on modern lines, should be read in Professor Smith's highly instructive work. I have merely tried to indicate the lines on which that learned author had approached and treated the subject he had dealt with. As one who knew Salah-ud-din intimately, from his childhood till his death, I confirm what is said of him by Professor Smith, who sums up his view of Salah-ud-din's work and worth as follows: "In fine, he is not a creative thinker. There was but one contribution that he could make ; and this he did make, assiduously, in spite of the bitter opposition that he met in his determination to spread modern ideas about Islam. We cannot leave him without pointing out the hearty reception which his thinking received in the West. One after another of the Western writers on modern Islam (and not least the missionaries)

have welcomed him as the last word in Muslim modernisation, and have praised his liberalism to the skies. Even in the world of scholarship, he is remembered principally for his translations from the German Orientalists—translations without note or comment."

Now, it may readily be granted that Salah-ud-din was "not a creative thinker". I do not think he ever claimed to be one; and it would be doing, therefore, no injustice not to treat him on that footing. I would also accede to the suggestion that his translations of the German histories "without note or comment" are naturally not so useful as they would have been, had they been furnished with elucidative notes and illuminating commentaries, embodying the results of later research—although, such as they are, they are highly useful to students of Arabian history, who do not know German. I maintain, however, that as a liberal interpreter, and a rationalist expositor of Islam, Salah-ud-din deserves high appreciation for his work in seeking to widen our mental horizon, especially in a dogma-ridden land like India. In his essays dealing with Islamic subjects, Salah-ud-din takes the right rationalistic attitude, and just the point of view now needed for the progress of Indian Muslims. He adopts that outlook with a sort of tender pride in the past, coupled with a bitter

revulsion from priestcraft and the accretions of ritual and dogma, which are now-a-days the bane of India, equally for the Muslims and the Hindus. As such, I maintain that Salah-ud-din rendered great and valuable services to the religious and social advancement of Indian Muslims.

IV.

Lastly, Salah-ud-din was not only liberal and progressive in the interpretation of religion, but also in the sphere of politics, as would be evidenced by the views he expressed on this subject: "We are constantly told that Mohammedans are a distinct people, as unlike the Hindus as the Semite is unlike the Aryan; that there are differences penetrating to the very root of life; differences of habit, temperament, social customs, racial type; that these differences are so vital and so enormous that the fusion between the two is a hopeless impossibility, an impracticable dream. Now I am not at all sure that this argument is sound. Admitting that the Mohammedans came to India as foreign conquerors, as utterly different to the Hindus as the British are different to us both, we cannot forget that for many centuries they have lived side by side, freely mixing with the people of the land, mutually influencing each other, taking Indian women as their wives, adopting local customs and local usages; in fine, permeated and pervaded through and through by local

characteristics and local peculiarities. The most infallible proof of this we find in the marriage ceremonies, which are entirely Hindu ceremonies, in the customs of the women-folk—such as the use of the vermilion mark, the symbol and token of wedded life, the restrictions imposed upon the dress and diet of widows, the disapproval, nay, condemnation, of widow marriages—and, indeed, in a thousand little practices behind the *zenana*. All this indicates somewhat more than mere superficial connexion between the two communities which mainly divide the Indian population. A yet clearer proof is the unity of language, and the similarity of dress. Moreover, say what we will, a large number, in fact the largest portion of the Mohammedan population, are Hindu converts to Islam. It rests upon no unwarranted assumption, but upon well ascertained facts, that Hinduism and Mohammedanism have acted and reacted upon each other; influencing social institutions, colouring religious thoughts with their mutual, typical, and religious hues;" these, being "conspicuous illustrations of the union of the two streams of Hinduism and Islam which, since the Muslim conquest, have flowed side by side in India". So thought and wrote Salah-ud-din. India badly needs many more of her sons to represent the type which he did, both in the spheres of religion and politics.

APPENDIX

The Dyarchy Minister's Powers

On the first appearance of the sketch of Sir Ganesh Dutta Singh, an anonymous contributor to a Patna daily lightly criticised my observations on the constitutional limitations on the work of Ministers under dyarchy, and the relations between them and the Finance Member who, under that system, was a Member of the Executive Council, that is of Government on the "Reserved side," in contrast with the Minister, who was a Member on the "Transferred side. The relevant passage to which the writer took exception was as follows : "In making a fair appraisal of the work of a minister under Dyarchy (1921-37), it is important to remember that, though as a Minister he might have been able to evolve schemes, he could not carry them out, if the Finance Member of the Government could not see his way to provide funds for them in the budget. The credit for establishing, therefore, institutions of utility, should belong, perhaps, in an equal, if not even in a larger measure, to the Finance Members, who had control of the public purse of the province." The substance of these observations appears in the sketch of Sir Ganesh, in this book, in a slightly

expanded form. I maintain that what I wrote was a correct representation of facts, and that it would not be impeached by any one who had knowledge and experience of the working of the dyarchic system, from the inside, that is, as a member of the Provincial Government, at that time, or familiar with its working as an official, or a non-official. As the subject is still of great constitutional importance, I make no apology for discussing it, at some length, in this appendix. I shall rely, in support of my contention, not on my own experience of the working of the system, as the Finance Member of Bihar and Orissa, but on the statements of the Hon'ble Ministers themselves; as also of the Governor, the Report of the Muddiman Committee, and last but not least, the views of leading organs of public opinion in the country—both Indian and Anglo-Indian.

II.

My first authority will be the then Education Minister of Bihar and Orissa. After three years' experience of the working of the dyarchical system, as a Minister, the Hon. Sir Syed Mahammad Faukhr-ud-din spoke as follows, in the course of the observations made by him in reply to the general discussion on the budget for 1924-1925: "The purse is not under our control. The financial policy has to be dictated by the Finance Member, with the help of

the Finance Department. I have to prepare a scheme and after I have given my administrative approval to the scheme, it goes to the Finance Department. The Finance Department may or may not accept the scheme as approved by me. Mind you, this is not the stage of making any provision in the budget. They have got a right to examine the scheme from the financial point of view. They have got a right to say, 'Your scheme cannot be accepted,' from the financial point of view. If the Ministers want to raise pay, the Finance Department has got a right to disapprove of the proposal."

A year later, in the course of his reply to the general discussion on the budget for 1925-26, the same Hon'ble Minister expressed his views on the constitutional position of the Ministers under dyarchy by making the following remarks: "I am very grateful that, in his speech, the Finance Member has candidly disclosed to you that in spite of the two Ministers' persistent and insistent demands for more money, he has been able to give so far only as he thought proper to give, or, as he says, as much as he could afford. Now, it is very clear to the House that the blame for inadequate or insufficient provision in the budget against the various items does not lie upon the Ministers. I am entirely in the hands of the Finance Department". Nothing could be more conclusive, on the point under

discussion—namely, the constitutional limitation on the policy and work of the Minister under Dyarchy—than these emphatic declarations of Sir Muhammad Fakhru-ud-din, and they confirm (only in stronger language) what I wrote, to which exception had been taken by my critic, evidently due to (what Dr. Johnson said to the lady, who pointed out an omission in his famous dictionary) "pure ignorance."

After quoting the observations of the then Education Minister, Sir Mahammad Fakhr-ud-din, on the constitutional position of a Minister under dyarchy, and the limitations he had to labour under, I shall cite the remarks of the other Minister, at that time, the Hon'ble Babu Ganesh Dutta Singh, (in the course of whose sketch I have made the statement objected to) made by him in the course of his replies to the discussions on the budget for 1926-27, with a view to show how the admittedly complicated and difficult system of dyarchy was worked in the province, to the great advantage of the Transferred departments. He said: "The Hon'ble the Finance Member, while introducing the budget had lucidly explained the financial condition of the province, and dealt exhaustively with all the heads of revenue and expenditure. He has also explained the new schemes which have been approved by Government this year. It is clear from the speech that

Government (on the Reserved side) has allotted a very large amount for expenditure on Transferred subjects, mainly medical and educational, and this increase in expenditure on these heads will, considerably, be appreciated by the people and their representatives here". Here was an absolutely unequivocal statement by the Hon'ble the Minister of the Local Self-Government (who had also the control of the Medical Department) that in spite of the constitutional limitations of the Ministers, the allotments made by the Finance Department had provided for the projects and schemes sought to be carried out by the two Hon'ble Ministers, to the extent they desired.

III.

At the end of that session—after the budget introduced by me had been accepted by the Legislative Council—it was addressed by the then Governor (His Excellency Sir Henry Wheeler), and this is what he said, in the course of his remarks on the subject under discussion—namely the constitutional position of the Ministers under dyarchy, and also how their wishes had been met with by the Finance Department : "As is always the case, the budget was the most important item of business laid before you, as on it hangs the whole administration of the ensuing year, and I would like to take this opportunity of congratulating the

Hon'ble Mr. Sinha on this the last occasion that its presentation will devolve upon him. When Mr. Sinha assumed charge as Finance Member, the outlook was decidedly cloudy, and it looked as if his term would be chiefly governed by the skill with which he might be able to refuse importunate demands and enforce unpopular economies. But the skies cleared, and he has been able to find the means to forward many useful objects on which this Council is keen. While I have no doubt he would have been able to shoulder gracefully the unpleasant side of a Finance Member's duties, and *I do not for one moment pretend that, even as it is, the Finance Department invariably acquiesces,* yet it is pleasanter to be a public benefactor than an official curmudgeon, and while we are glad that this good fortune has attended him, we owe him our gratitude for all that he has done to render it possible that he should assume the role of fairy godmother." It would be noticed that His Excellency, while stating clearly the constitutional position of the Minister, under dyarchy, in the words italicized by me in the passage quoted above, emphasised the fact (testified to by the Hon'ble Babu Ganesh Dutta Singh, in the extract made from his speech) that the requirements of the Transferred departments had been fully met with by the allotments made by the Finance Department, during the period I controlled that Department as Finance Member.

This important question should not, however, be allowed to rest on the testimony of either a Minister, or even a Governor, but on the impeachable data on which their observations were based. That data is furnished by the Report of the Muddiman Committee (which included amongst its members eminent public men from different provinces of India) and which had been constituted by the Central Government to investigate the working of the system of dyarchy. Their Report was issued in 1925. We read in it as follows: "Ministers are ineligible for the office of Finance Member, who is the head of the department. The Finance Member must be a member of the Executive Council. There is no force in the argument put forward in defence of this rule, that trained men are required to fill the office, for not all of the officers who have held, or now hold it, in the Provinces, had previous experience of the working of the Finance Department, while the Indian Member of the Executive Council of Bihar and Orissa, who is in charge of Finance, has not proved to be less competent than the service members in the other Provinces". In support of their view they relied on data and figures, taken from the budgets of four provinces that had worked the dyarchical system, namely, Assam, Bengal, Madras, and Bihar and Orissa. Their Report contains a fairly long tabular statement, but as its

reproduction would take a longer space than a summary of it, I would condense the information given in the Report as follows : In Assam in 1921-22 78 per cent was spent on the Reserved side, and 22 on the Transferred; in 1922-23, 74 on the Reserved, and 26 on the Transferred; and in 1923-24, 75 on the Reserved, and 25 on the Transferred. In Bengal the allotments, for the same three years, were as follows: 70, 66, and 66, against 30, 34, and 34; and in Madras 68, 67 and 66, against 32, 33, and 34. On the contrary, in Bihar and Orissa the figures for the same three years stood as follows: 30, 30 and 26 for the Reserved, as against 70, 70 and 74 for the Transferred. To which I may add that in the three subsequent years (namely, 1924—5, 1925—6, and 1926—7) the figures for Bihar and Orissa of the non-recurring expenditure were 35 and 65, 19 and 81, and 25 and 75 for the Reserved and Transferred sides respectively; and of recurring expenditure 10 and 90, 7 and 93, and 5 and 95, for the Reserved and Transferred sides, respectively. These figures speak for themselves.

IV.

The observations made in the Muddiman Report and the figures cited in it, attracted very wide attention. Of the numerous comments it elicited in the leading organs of public opinion, I make no apology for quoting some passages from what so distinguished

a publicist as the late Dr. Annie Besant wrote in her *New India*: "The expenditure on the Transferred departments in Bihar is proportionately much higher than in any other Province. As Bihar and Orissa is the only province as yet to have had an Indian as its Finance Member for the full term, the apportionment of expenditure there between the Reserved and Transferred sides is, therefore, full of significance. A study of the budgets of Madras, Bengal, Assam and Bihar shows that while in the first three Reserved expenditure is about seventy per cent, in Bihar, expenditure on the Transferred departments has never been less than 70 per cent, of the total expenditure, since 1921. Analysing the figures in Mr. Sinha's budget, it appears that the percentage of recurring expenditure on the Transferred departments, to the total recurring expenditure, was 90, 93, and 95 during the three years commencing 1924-25 while non-recurring expenditure amounted to 65, 81 and 75 per cent, respectively. It shows what an Indian Finance Member can do in spite of the handicaps of Dyarchy, and thus supplies an argument for the abolition of the division between the Transferred and the Reserved subjects. Mr. Sinha has left a record which proves that even the constitutional difficulties in regard to Finance, under the present system, can be reduced almost to vanishing point, with the department under an able Indian.

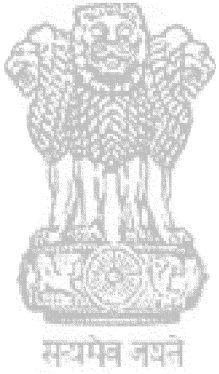
The credit for this should undoubtedly go to Mr. Sinha as it is due mainly to the Finance Member, and it is a feature on which both he and the Province are entitled to warm congratulations".

Even leading Anglo-Indian journals noticed appreciatively the successful inter-relation between the Finance Department and the Transferred departments in Bihar and Orissa, and the *Times of India* (Bombay) commented as follows: "Mr. Sinha was the first Indian to hold the Finance portfolio, and the sound financial position of the province is a substantial achievement of his term of membership. He was responsible for presenting four consecutive surplus budgets, and his generous treatment of nation-building departments helped the Ministers immensely to start on their development schemes of a beneficent character." Similarly, *Capital*—the leading commercial and financial Journal—had the following comments on the same subject: "Mr. Sinha has gone the right way to make dyarchy workable. His financial administration of Bihar and Orissa has been a signal success, and his record is a substantial achievement worthy of the only Indian who has been in charge of a financial portfolio".

Of the leading organs of Indian public opinion, I shall quote from only one—the *Leader*, principally because its editor, the late Mr. (after-

wards Sir) C. Y. Chintamani, had himself been one of the first batch of Ministers in the United Provinces, and had, subsequent to his resignation of that office, carried on a strenuous agitation for the control vested in the Finance Department being transferred to a Minister. He wrote in his paper: "Bihar is the only province which has got an Indian Finance Member, and he has shown how much public service Indian nationalists can render to the development of nation-building departments by untilising the existing constitution, in spite of all its imperfections. During the time the Hon'ble Mr. Sinha has been in charge of the financial administration of the province of Bihar and Orissa, the Transferred departments have got Rs. 149 lakhs, or 78 per cent, as against Rs. 41 lakhs or 22 per cent, allotted to the Reserved side. Thus the former have got more than double for new schemes than any other province. Whatever complaints the Ministers in other provinces may have against the Finance Department, the Ministers in Bihar and Orissa cannot justly complain that the departments under them had been starved. It is a gratifying and significant circumstance that Bihar is the one province where Ministers have the least complaint to make against the Finance Department". All these convincing declarations—and many others which could be cited—are, I submit, conclusive on the view

expressed in the sketch of Sir Ganesh Dutta Singh, on the constitutional limitation of Ministers under Dyarchy, and their dependence for carrying out their schemes on the good will of the Finance Member.



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