

THE LEGISLATIVE COUNCIL OF THE GOVERNOR
OF
BIHAR AND ORISSA.

Wednesday, the 14th February, 1934.

The Council met in the Council Chamber at Patna at 11 A.M., the Hon'ble the President in the Chair.

MEMBERS SWORN.

1. Mr. John Augustus Samuel, M.L.C. (Nominated official).
2. Mr. Eric Cecil Ansorge, M.L.C. (Nominated official).
3. Mr. S. M. Cassim, M.L.C. (East Patna Muhammadan—Rural).

ADDRESS BY HON'BLE THE PRESIDENT.

The Hon'ble the PRESIDENT: Hon'ble members, it is my privilege to-day to welcome you to this short session at Patna. I offer my felicitations to the new members who have taken oath. I congratulate the Hon'ble Babu Nirsu Narayan Sinha and Mr. Saiyid Abdul Aziz on their appointments to the high offices. I feel sure that their presence in the cabinet at this critical moment will be of great value to the people of this province. I wish them long life to serve their motherland.

I hope I am voicing the feelings of this Council when I express my regret at the accident which the Hon'ble Mr. Whitty met with, the other day in Darbhanga. We all know that he was visiting the affected areas when he met with this accident. We are sorry that he is unavoidably absent to-day. We pray for his immediate recovery.

Hon'ble members, we meet to-day under the shadow of a great calamity which befell this province on the 15th of

[Hon. the President]

January last. We experienced the severest shock of the earthquake. This has caused appalling disaster of unprecedented magnitude. It has not only disfigured towns and villages, but has completely destroyed some of them. I have personally visited a part of the affected area, and I am filled with terror and dismay at the very remembrance of the damage done. Some of you have sustained sad bereavements and loss of property. I take this opportunity of conveying my sympathy to you, and through you to the people of this province.

This earthquake has disturbed the programme of this Council. But for this, we would have met on the 5th of February and would have been carrying on our business as usual. But on account of this compelling necessity we have now to transact only the most important and indispensable business. It is for this reason that we have received a notice for the amendment of our Standing Order 72 to enable us to finish the general discussion of the Budget soon, so that we may return home quickly and look after the people whose interests we safeguard here.

CONDOLENCE ON THE DEATHS OF KHAN BAHADUR SAIYID MUHAMMAD HUSSAIN, MR. MADHUSUDAN DAS AND MR. SAIYID MUHAMMAD ATHAR HUSAIN.

The Hon'ble Babu NIRSU NARAYAN SINHA: Sir, I solicit your permission to move the following motion:

This Council expresses its heartfelt sorrow at the deaths of Khan Bahadur Saiyid Muhammad Hussain and Mr. Madhusudan Das, C.I.E., and requests the Hon'ble the President to convey messages of profound sympathy to the bereaved families.

The Hon'ble the PRESIDENT: The Hon'ble Member has my permission.

The Hon'ble Babu NIRSU NARAYAN SINHA: Sir, in the short space that has elapsed since we last met together in this Chamber, the province has lost two of her most distinguished sons, the one in the prime of life, the other a veteran, whom age and ill-health had handicapped for some years.

Khan Bahadur Saiyid Muhammad Hussain had been a member of this Council for nearly 12 years, when he was appointed to be Minister for Education in May last. Many years of practice at the bar had given him wide experience and good judgment, and his kindly and courteous disposition endeared

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him to all classes. During his short spell of office, he threw himself into his work with energy, and his enthusiasm, undoubtedly, contributed to his unexpected death. There is food for melancholy speculation in the thought that only last August he spoke in support of a motion mourning the death of his friend and predecessor in office, the late Sir Fakhr-ud-din.

Mr. Madhusudan Das was one whom many of us still remember and whose name is familiar to all as that of the Grand Old Man of Orissa. During his long life of 87 years, he made his mark as a teacher, lawyer, statesman and social worker. Twenty years ago, his public services were recognised by making him a Companion of the Order of the Indian Empire. He was well worth the distinction of being the first Minister of Local Self-Government in Bihar and Orissa. His declining years he devoted to the cause of Orissa, and he lived to see his life-dream the new province of Orissa within an ace of fulfilment. Only a few months before his death he served on the Orissa Administration Committee and showed that bodily infirmity had not impaired his mental powers. Orissa has the sympathy of the rest of the province in her bereavement.

Mr. SACHCHIDANANDA SINHA : Sir, I rise to associate myself with the observations which have fallen from the Hon'ble the Finance Member in connection with the bereavements we have sustained in the deaths of the late Hon'ble Khan Bahadur Saiyid Muhammad Hussain and Mr. Madhusudan Das.

The Khan Bahadur, in the short time that he held the office of Minister, worked with great zeal in the discharge of his duties, and having seen him work, especially just a few weeks before his death, I fully share the view that it was by his zeal and strenuousness that he hastened his end. We are, therefore, fully justified in placing on record our sense of profound sorrow at his death.

Mr. Madhusudan Das, who was one of the first batch of Ministers in this province, occupied a very high position in the public life of this country, not only in Orissa (of which he was the acknowledged leader), but also in Bengal and Bihar. I had the privilege of serving with him as a member of Government during the years that he occupied the office of Minister. I can, therefore, testify from personal knowledge how zealously he worked in the discharge of his duties to the best of his lights. His death, although it has occurred (as we can say "full of years

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[Mr. Sachchidananda Sinha]

and honours") at the advanced age of 87, is a distinct loss to our public life, which is irreparable.

The Hon'ble Sir GANESH DATTA SINGH : Sir, when I joined in the condolence of my friend, Sir Fakhr-ud-din, I never thought that I should have to perform another unpleasant, sorrowful function after six or seven months. But in a matter like this, humanity is helpless. I thought that we would work together for some years, but his unexpected end made it a very short period. My relations with my colleague were extremely cordial and helpful. As has already been said by my friend, the Hon'ble Babu Nirsu Narayan Sinha, he took up the work with such a zeal and earnestness, sparing no pain and trouble to himself, that it resulted in his death. He returned from tour on the evening of 25th December last; I met him on the 26th afternoon; I had a long talk about his tour and future programme. In the evening I learnt of the sad news. I could not believe the phone. I motored to his house and found him dead. The province has lost his mature experience, and this loss at this juncture is specially lamentable.

As for Mr. Das, I thought that he was an immortal man. He was appointed Minister at the age of 73, hardly any one has accepted this office at that age. I worked with him for about two years. He was working as a young man, and for ever his work in the Local Self-Government Department will be remembered by the two Acts—Bihar and Orissa Municipal Act and the Local Self-Government Act—which he conducted with great ability. After retirement he took up his usual vocation as a lawyer. When I was in Orissa, I had a talk with him. He was studying briefs up till midnight. He was nothing but a wonder. This province has possessed three wonders in age, one of them has disappeared, one of them has retired and one is still working.

With this, Sir, I support the motion of the Hon'ble Babu Nirsu Narayan Sinha.

The Hon'ble Mr. SA'IYID ABDUL AZIZ : Sir, it is one of our greatest misfortunes that we have been left without the services of two distinguished men, namely the late Khan Bahadur Saiyid Muhammad Hussain and the late Mr. Madhusudan Das. I associate myself fully with everything which has been said in this House by the Hon'ble Members who have spoken before me about the services of these two distinguished countrymen of ours and also about the intensive loss which we feel at this juncture.

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I remember, Sir, that when I returned to Patna in the middle of November after my recovery from the last illness, late Khan Bahadur Saiyid Muhammad Hussain visited me at about 10 o'clock at night, when we were about to retire. He said that he had been wishing to call and see me since yesterday, but he could not get a single moment of leisure to perform this social duty which he wanted to do. He said that he did not have only to do his departmental work, but had to receive visitors almost all day and even till late in the evening, and, therefore, he could not get away. Though he had not taken his meal that evening, he felt that he must come and see me. This is only to show how really by over-work and in the attempt to discharge social duties, he hastened his end. We are very sorry that we are not in a position to-day, on account of the losses which we have suffered by the successive deaths of so many distinguished men of Bihar, to take advantage of their experience and patriotism in this calamity which overhangs Bihar.

As regards Mr. Madhusudan Das, I think I am not as competent to say much about him as my worthy colleague, Sir Ganesh Datta Singh. He has not only worked with him, but, in fact, in various capacities had an opportunity of knowing the merits of that distinguished countryman of ours. Everybody is agreed that he was one of the most distinguished and able Biharis (because as long as we include Orissa, I think I am entitled to say that he was a Bihari). I, therefore, support the motion which really needs no support.

Babu GODAVARIS MISRA : Sir, I associate myself, in supporting this motion of condolence, with all that has been said regarding Khan Bahadur Saiyid Muhammad Hussain. I did not know him personally very intimately, but he appeared to me to be a man who wished to discharge his duties extremely honestly.

Regarding Mr. Madhusudan Das, I have only one word to say and that is that his loss to Orissa is irreparable. No one knows when there will come a man of the type of Mr. Das to devote his time, his energy and his wealth unreservedly to the good of his countrymen. He was not of the same religion to which 97 per cent of the people of Orissa belong, but his name was adorned in every house and his loss has been bitterly mourned all over the little sub-province of this province. His name was on everybody's tongue, and after his death the whole of Orissa feels as if it has been helpless.

[B. Godavaris Misra]

With these words, Sir, I associate myself with the motion of condolence moved by the Hon'ble Babu Nirsu Narayan Sinha.

Khan Bahadur SAGHIRUL HAQ : Sir, I whole-heartedly support the condolence motion moved by the Hon'ble Babu Nirsu Narayan Sinha. So far as the late Khan Bahadur Saiyid Muhammad Hussain is concerned, it is known to all of us that he had a reputation of being very industrious as a lawyer. He studied his briefs very carefully. When he got the appointment of the Minister of Education, he displayed the same zeal and energy in his work as he used to do in his professional work at the bar. When a resolution about the fixing of minimum price of sugarcane came up before the last session of the Council at Ranchi moved by you, Sir, it was the late Khan Bahadur who decided that before the question could be discussed and thrashed out, it would be desirable to call a conference and discuss it there. Before the conference sat, he took pretty good care in studying the whole question and getting first-hand information. If I remember aright, he went to Chapra on the 18th of December and stayed in that district till the 23rd of that month. I met him at Pachrukhi Factory on the 20th and was with him the whole day. As a matter of fact he displayed marvellous zeal and a considerable amount of interest in studying the cane-question. On the 23rd I met him at the Sewan railway station to say him good-bye. He was in the best of health then. On the 26th in the afternoon, I was really shocked to hear the very sad news of his death. His was a charming personality. In his case, it was not the distance that lent enchantment to the view. The more I knew him, the nearer I came, the greater was my admiration for the Khan Bahadur.

So far as the late Mr. Das is concerned, I remember to have met him a number of times when he filled the office of the Minister of Local Self-Government in this province. In one word, Sir, he was wedded to the service of his country throughout his life. Our province has become poorer by the sad death of the late Khan Bahadur Saiyid Muhammad Hussain and Mr. M. S. Das.

Babu CHANDRESHVAR PRASHAD NARAYAN SINHA : Sir, we on this side of the House completely associate ourselves with what has been said about the late Khan Bahadur Saiyid Muhammad Hussain and Mr. Madhusudan Das. Both of them were worthy sons of this province. Their various

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qualities were known to us as to others. I had no personal association with Mr. Das, but I surely knew the late Khan Bahadur Saiyid Muhammad Hussain, and I can say in one word that he was a pious Musalman, an honest gentleman and a very zealous worker. He discharged the duties that were entrusted to him with the utmost zeal and energy. All those who knew him intimately know how grieved we are at the loss we have sustained.

With these few words, I again say we completely associate ourselves with those who mourn the loss.

Rai Bahadur SARAT CHANDRA RAY: Sir, on behalf of Chota Nagpur I beg to associate myself with all that has been said by the previous speakers in supporting the motion. Mr. M. S. Das and Khan Bahadur Saiyid Muhammad Hussain were two of the worthiest sons of this province and it will take long to fill up the void caused by their death.

With these words, Sir, I beg to support the motion.

Rev. BRAJANANDA DAS: Sir, I associate myself with all that has been said about the late Khan Bahadur Saiyid Muhammad Hussain and Mr. M. S. Das. When I saw the Khan Bahadur in December last, I did not realize that he would leave us so soon. He began his work well as newly-appointed Minister, and I feel sure that he would have been a successful Minister if he had been spared long.

As regards Mr. M. S. Das, his death is a real loss to Orissa. After his death, when the funeral procession started, people of all communities and people of different walks of life joined it. Even the poorest of the poor expressed grief and joined the procession to the cemetery. That shows that the people of Orissa have felt his death as a serious loss. We are going to have a separate province, and Mr. Das's help in that direction was invaluable. But his death has left practically a chaos, and I am doubtful if a man of his type would be found to fill up his place. I agree with all that has been said, and support the motion.

Babu HARIHAR DAS: Sir, I associate myself with the condolence motion which is now being discussed. So far as the late Khan Bahadur Saiyid Muhammad Hussain is concerned, although I am not much familiar with the magnitude of his intellectual calibre, yet I am really struck with admiration by his imposing personality and sweet and charming manners. So very

[B. Harihar Das]

sociable he was that he used always to welcome us with all heart, and, therefore, all our whole-hearted admiration will rest with him for all time to come. May his soul, therefore, rest in peace and shower blessings on our entire province. So far as Mr. Madhusudan Das, C.I.E., is concerned, he was really a wonderful personality and he devoted his entire life for the welfare and progress of his motherland. He earned like a king and spent like a king. All what he earned he spent for the good of his motherland, and at last he impoverished himself at the time of his death. At his loss the whole of Orissa laments most bitterly. Really the gap that has been caused by his death will not and cannot be filled up in very many years to come. With these words, Sir, I associate myself with this condolence motion.

The Hon'ble the PRESIDENT: The Chair would like to associate itself with what has been said in lamenting the death of the late Khan Bahadur Saiyid Muhammad Hussain and the late Mr. Madhusudan Das. I would not like to add much to what has been said, as I am speaking to those who knew these two great men very well. The late Khan Bahadur will be always remembered for his sober judgment, unfailing courtesy and polished manners. His career as a Minister was very brief, but when he accepted this very responsible office, his high sense of duty impelled him to scorn rest. He lived laborious days. Of him it can be truly said that he died like a soldier at his post. He was disposing of files till late in the evening on the day of his death. I went to see the late Khan Bahadur at 7 p.m. I was told that he was slightly unwell. By the time I returned home I received the sad news of his end. His death was sudden and it has shocked each of us. I think the province has lost a noble soul in him.

The late Mr. Madhusudan Das was one of the earliest workers in the cause of the freedom of this country. He will always be remembered for his independence. He has placed this province under a deep debt of gratitude by the three Acts which were enacted in his time, mention of which has been made by the Hon'ble Sir Ganesh Datta Singh. These Acts have given wide powers to the people, and we cannot be too grateful for what he has done for this province. He was the uncrowned king of Orissa. He had dedicated his life to the cause of Orissa and his death is a national loss.

Hon'ble members, I have also to mourn to-day the death of one of the prominent members of this Council, Mr. Saiyid

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Muhammad Athar Husain. He attended the Council session in the month of December. True that he was ill at the time, but none of us knew that his end was so near. He was a keen and enthusiastic worker. He had a forceful personality. He was unflinchingly firm in supporting the cause he took up. I think that this Council has suffered a great loss in his death. I hope I have your permission to convey our message of condolence to the members of the bereaved family. I hope the hon'ble members will signify their assent to the motion moved by Hon'ble Babu Nirsu Narayan Sinha by rising in their seats.

The motion was adopted, all members standing.

CONDOLENCE ON THE DEATHS OF MR. V. J. PATEL AND DR. ANNIE BESANT.

Mr. SACHCHIDANANDA SINHA : Sir, I seek your permission to move :

The Council do adopt the following motion :—

This Council do place on record their sense of profound sorrow at the deaths of Mr. V. J. Patel, the first elected President of the Indian Legislative Assembly, and Dr. Annie Besant, and request the Hon'ble the President to convey its profound sympathy to the bereaved families.

The Hon'ble the PRESIDENT: The hon'ble member has my permission.

Mr. SACHCHIDANANDA SINHA : I shall be very brief in my submissions in regard to this motion. But for the fact that we had no session of the Council since these eminent personages passed away, we should have expressed our sorrow at their deaths much earlier. We are meeting practically for the first time since their death, and I, therefore, think it our duty to place on record our sense of sorrow at their having left us.

Mr. Patel, as I have said in the resolution, was the first elected President of the Indian Legislative Assembly. He proved a great constitutionalist, and a complete master of parliamentary procedure. He has left an impress of his personality in the Central Legislature of which he was the first President by election.

Dr. Annie Besant devoted her whole life to securing for India constitutional reforms, and in carrying on what she regarded as her duty, she suffered a great deal. It is, therefore,