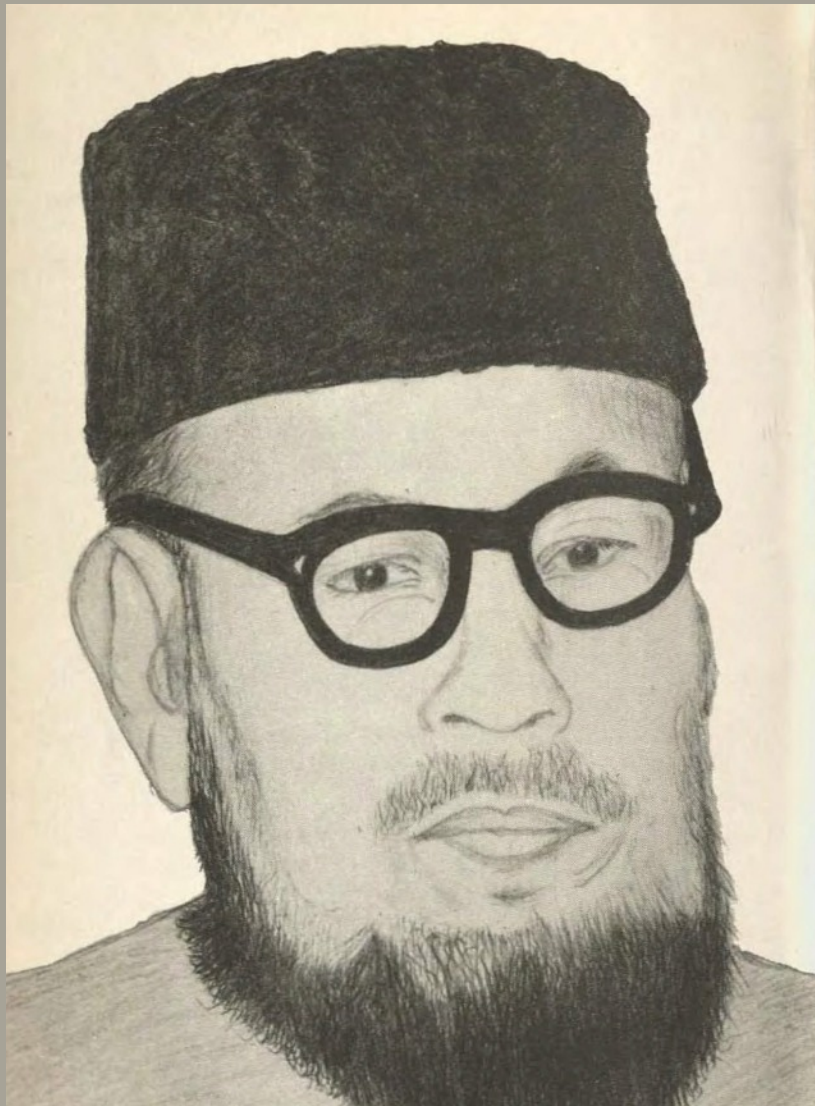


# The Test of Time

## My life and days



Tamizuddin Khan

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TAMIZUDDIN KHAN



## EDITOR'S NOTE

The completion of *The Test of Time* by Maulvi Tamizuddin Khan (1889-1963) has taken an unusually long time. Maulvi Khan had himself written his life stories and experiences covering the period upto 1926, but could not complete them. He, however, left detailed notes about events, and his own involvements therein, for the period from 1926 to 1963. Some of us took upon ourselves the responsibility of re-constructing the events and happenings during this period, based on his notes as well as by drawing upon other information, documents and our own experience of close association with him.

Chapters I to IV are in Maulvi Khan's own writing, and we have left them as they were. The rest of the volume, including the introductory chapter, is the outcome of our attempt to build a consistent and continuous story of his life. In making this attempt, we have been quite conscious of our shortcomings and inadequacies, which will be obvious from a comparative perusal of the portion of the text written by Maulvi Khan himself and the portion compiled by us.

Maulvi Khan started writing his memoirs towards the end of the fifties and continued working on it until about the end of 1961. He made an extensive study of available literature covering events happening till then, and put in hard work despite his indifferent health. He must have had discussions on his work with many of his friends and colleagues; one person with whom he had frequent and extensive discussions is Mr. Abdur Razzaq, now National Professor attached to the Department of Political Science, University of Dhaka. I have had the unique opportunity of sitting through many of these discussion sessions, which has enabled me to have a clearer perspective of the events as recorded in the memoirs.

For completing the memoirs, the events since 1926 had to be recounted on the basis of the extensive but incomplete notes left by Maulvi Khan. This has proved to be an inherently difficult task for someone who has seen the developments from a distance, obviously with his own eyes and understanding of these matters. Surely, Maulvi Khan's own interpretation of matters could have been different, based on his masterly analysis of events and marshalling of facts; even then we ventured into the project because this was the only way of completing the memoirs and making it available in print.

Many friends and relatives have inspired and actively helped in the compilation of this volume and its publication. The prime movers in this effort have been Maulvi Khan's three daughters-Fatema, Kulsum and Razia. My son Najmu and daughters Simeen and Zareen have also helped in various ways, not least by keeping me constantly reminded of my duty and responsibility in the matter. My two sons-in-law, Wahid and

Fakhruddin, and daughter Zareen have gone through the draft several times and made important improvements. Fakhruddin has been especially helpful in preparing parts of the manuscript and in overseeing the publication matters and without his help the publication would not have been possible.

But for these acts of willing help and cooperation, the volume would not have seen the light of the day. Finally, we must acknowledge with deep gratitude the financial support provided by the Tamizuddin Khan Trust for the publication of this volume. The University Press Ltd, Dhaka, has kindly undertaken publication of this volume; Mr. Mohiuddin Ahmed has put in hard work on this, for which we are deeply grateful.

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## INTRODUCTION

The life and times of Maulvi Tamizuddin Khan coincide with the rise of the Muslims of India from their centuries-long political and economic decline to their attainment of nationhood. After surrendering their empire to the British, the Muslims of India became demoralized and withdrew into their shell. They regarded the British and anything of the British, such as English education, with the same kind of passive hostility with which the Hindu majority had regarded their Muslim rulers earlier. The British, on the other hand were deeply suspicious of the motives of the Muslims, and to neutralize the Muslim threat, undertook a deliberate policy of patronizing the Hindus.

The repressive measures against the Muslims intensified after the abortive First War of Independence in 1857, in which the Muslims took a leading part. While the Hindus in general progressed under the British rule, the Muslims, with the possible exception of the northern elite continued to fall behind. Things got so bad that reverend J. Long (1) in 1869 warned that the Muslims of Bengal "have degenerated, are degenerating and will sink to a still lower depth unless steps are taken – "Their fall from political power and the English Government making a book career a test for office, had left numbers, poor and proud, without any resources, swelling the torrent of discontent", the Reverend concluded. Two years later in 1871, Sir William Wilson Hunter (2) sounded the alarm of a different kind. He saw signs of "overt sedition" from "fanatical Musalmans" and warned that "the whole Muhammedan community has been openly deliberating their obligation to rebel."

Out of favor with the rulers, steadily losing ground to the Hindus both literally and figuratively, the disheartened Muslims of India desperately needed some good news. They received some, a year later in 1872. The first ever census of Bengal in 1872 revealed that contrary to the expectation that the area was predominantly Hindu, 48% of the population of Bengal proper was Muslim. A few districts of Eastern Bengal, namely Bogra, Rajshahi, Pabna, Mymensingh, Tipperah, Noakhali, Backergunj and Chittagong had Muslim population of over 70%. The remaining districts of present day Bangladesh (except Chittagong Hilltracts), as well as Nadia, Murshidabad and Malda had Muslim population of between 50 and 60%. The concentration in one geographical area of these predominantly rural and uneducated Muslims, under the domination of the Hindu Zeminder, proved to be a very significant factor in the growth of separatist politics along sectarian lines.

Against the backdrop of these intensifying socio-religious polarizations, Maulvi Tamizuddin Khan was born in a Faridpur village in 1889. His was a unique life. He lived and experienced the village life first hand at Khankhanapur. (Chapters I and II), before venturing out to Faridpur, Cooch Bihar and Calcutta in pursuit of higher

education, and eventually finding himself at the forefront of Indian Independence Movement. After Ibn Maazuddin Ahmad, his is probably the first detailed account of the rural Muslim society in Bengal in the late nineteenth and early twentieth centuries.

Chapter I makes fascinating reading. Social historians should be able to feast on the wealth of information provided there. Apart from such standard fare as Hindu-Muslim relations, within the purview of which association was considered acceptable, but social visits or intermarriages definitely not, Maulvi Khan gives vivid details of such diverse subjects as the various techniques of catching fish (eg. with "*Palo*"), the Hindu Pujas and their effect on otherwise austere Muslim celebrations, festivities during Hindu marriages including "*Jatra*" and "*Kavi*", and the rather dangerous Muslim pastimes such as Cattle races, Lathi-play and Boat races.

Maulvi Khan developed a taste for the all-night "*Jatra*" shows (indigenous operatic dramas), was awestruck by the extempore brilliance of the practitioners of "*kavi*" and "*Jari*" and learnt from his father the art of "*Puthi*" reading. ("*Puthis*", normally written by Mullahs abounded with Arabic and Persian words and usually described stories of ordinary people and Islamic history. "*Puthis*" kept the spirits of the Muslims up during the darkest days of British rule. See reference (4) for details on "*Puthis*".)

The powerful oratory of Ambica Charan Majumder, later to become the President of Indian National Congress, in denouncing the "evil" of the Partition of Bengal had a hypnotic effect on Maulvi Khan. Mr. Majumder asked the students of Faridpur in 1905 to boycott the British goods in protest and join the movement as volunteers. Maulvi Khan did that was his initiation into politics. He vigorously demonstrated against the partition of Bengal and even made his first political speech in its condemnation, a year before he appeared at the Entrance Examination of 1906. Only later did he learn that the Partition was meant to help the Muslims and that the recognized Muslim leaders, including Nawab Salimullah were in favor of it. Under Hindu pressure, the partition was annulled by King George V in 1911.

In the Bengali villages, as in the rest of India, the Hindus and the Muslims were two different communities. Class distinction was rigorously enforced even among the spectators enjoying drama and "*jatra*" shows- the Muslims were invariably assigned the worst seats. The Hindu revivalists used the "*Jatras*" as a propaganda tool in their campaign against the partition of Bengal. The same revivalists started a literary offensive that took the Bengali language, which had flourished under the patronage of Muslim rulers, to the Sanskrit traditions, lionized the British and Hindu characters while slandering the Muslim heroes and tightened up laws against inter-marriage and commensality. The Muslims continued to be charged exorbitant interest by the Hindu Zeminders. The Muslim tenants continued to suffer humiliation in the Zeminder's house. They had to sit on a low "*piri*" (very low wooden stool) while the Hindu tenant sat on an elevated "*farsh*" and "*satranj*". Muslims could not share the same "*Hukkas*" with

the Hindus, and had either to smoke from an inferior "hukka" or from a "chillim". Limits of commensality were clearly defined. Even during the earthquake of 1897, when Maulvi Khan was eight and playing near a Hindu friend's house, he knew instantly that it would be improper to enter the inner compounds of a Hindu house, and although trembling with fear, nevertheless ran towards his own house!

Maulvi Khan passed his Entrance Examination in 1906. For his College education (Chapter II) he first went to Victoria College in Cooch Bihar from where he passed his First Arts examination in 1908 and then transferred to first the Scottish Churches College, and then the premier institution of the province, Presidency College in Calcutta. Mr. Khan passed his honors examination in English in 1911 and thus became the first Muslim graduate of Faridpur. He studied for his Masters degree at Presidency College and Law degree at Ripon College simultaneously and passed the examinations in 1913 and 1914 respectively.

When he decided to join the Faridpur Bar in 1915, he found out how difficult it was for a Muslim lawyer to start practice. There were hardly any Muslim lawyers available as Seniors, and the numerous established Hindu lawyers were not keen on taking Muslims as protégés. Ever since his school days, Maulvi Khan had kept an eye on the political developments in the country. Although the Muslim League was established at Dacca in 1906, the Indian National Congress Party was the only political party of any consequence in India. Ironically, in Sir Syed Ahmed's book, "The causes of Indian Revolt", which gave inspiration to the founders of Indian National Congress, he had said that the Hindus and the Muslims were separate nations, and to rule India jointly "one would need to conquer the other". Sir Syed had successfully asked the Muslims to keep away from the Congress. Mr. Khan shared these misgivings from the very outset. The annulment of the partition of Bengal convinced even the "Ambassador of Hindu-Muslim Unity", Mohammad Ali Jinnah, then an out and out congressman, that the future of the Indian Muslims depended on self-help. And that a certain degree of cooperation with the Congress was essential to achieve the Muslim objectives. Mr. Jinnah joined the Muslim League in 1913, when he was still a leading member of the Congress. Maulvi Khan joined the Muslim League in 1915, and for the same sort of reasons he joined the congress in 1921.

In any Endeavour in life, Maulvi Tamizuddin Khan always did more than his share. Although a budding Muslim lawyer with family responsibilities was not expected to give up his practice under any circumstances, responding to Mr. Gandhi's call for non-violent, non-cooperation with the British, Maulvi Khan threw his weight behind the movement and gave up his law practice. Not only that, he even took his younger brother out of the Government school he was studying in-unfortunately, his brother never rekindled his enthusiasm for school again. The Non-Cooperation Movement took the country by storm and threw the British off-guard. The Hindus and the Muslims forgot their differences for the time being and worked shoulder to shoulder for its



success. And succeed it did, beyond anyone's wildest imagination. The British had no idea how to counter such a novel approach of protest. Surely, they could not oppose non-violence with violence! Mr. Jinnah remained opposed to the non-cooperation movement because of the hardship it would cause to the masses, especially the Muslim masses. Even Mr. Jinnah conceded later that the movement came within an inch of success, and would have succeeded if the movement was in the hands of a "real politician!"

The British took a long time to decide how to respond to the non-cooperation movement. When the decision was made, it meant mass imprisonment for the participants. Maulvi Khan was thrown into the lice-infested Faridpur Jail (Chapter IV). The conditions inside the jail were atrocious. They were treated like common criminals, provided with intolerable sleeping quarters, inedible food and unhygienic sanitary facilities, whereas in most other places, including Dacca, the non-cooperation prisoners enjoyed the status of political prisoners. Even inside the jail confines the protest continued. Anytime the Warden or the Superintendent of the jail entered the prison, the prisoners were expected to spring to attention at the usherer's command of "Sarkar", and salute the visitor at the command of "salaam." Maulvi Khan and colleagues refused, saying that they could not honor the representative of a "satanic" government that they were not cooperating with and that had thrown them into jail. The District Magistrate of Faridpur and ex-officio Superintendent of jail Mr. G.P. Hogg, ICS, was incensed and chose three of the protestors including Maulvi Khan for public lashing. Maulvi Khan discusses the intriguing and possibly dubious role played by Khan Bahadur Abdul Ghani and his son, Mr. Abdul Karim during this episode. Although the non-cooperators had lost a battle to Mr. Hogg, it was Mr. Hogg who lost the war. The noncooperators never had saluted the "*sarkar*", and when the higher authorities heard about the incident, they exempted the non-cooperators from the "*Salaam*."

After this incident, Maulvi Khan was transferred to the Dacca Central Jail, where they were treated much better. Cut off from any news from the home or the political fronts by the overzealous jail censors, Mr. Khan took this opportunity to devote himself to studying the holy Quran in detail. The prison food and regimen continued to plague his health-some damage, especially to his stomach, were made permanent. After serving over 14 months of a 2-year rigorous imprisonment sentence, Maulvi Khan was suddenly released in early 1923. He never forgot the humiliating treatment in the jail. when the British Government tried to honor him with the title of Khan Bahadur later, he refused.

On his release from prison, he found that the political climate in the country had changed for the worse. After Mr. Gandhi ended the non-cooperation movement in 1922, the Hindu-Muslim divisions and communal riots resurfaced. Maulvi Khan was still barred from practicing law, and had to do something else to support his family. He headed for Calcutta, where his friend and fellow non-cooperator Mr. C.R. Das was the

Mayor. In a move that typifies Maulvi Khan's disregard for self-interest, he made no effort to contact Mr. Das, who could easily have rewarded him with a lucrative job. Instead, he worked long, hard and gut-wrenching hours as a "Bepari" or petty cloth merchant in Calcutta to support his family. Maulvi Khan admired Mr. C.R. Das like few other men. He believed that Mr. Das was well ahead of his time and was a true well-wisher of the Muslims, and that had he lived beyond the 1920s, the history of the Indian subcontinent could have been different.

Things were moving fast, especially in the Hindu-Muslim front. Maulvi Khan was alarmed by the "Suddhi Movement", that attempted to reconvert the Muslims to Hindus. He made up his mind to leave the Hindu-dominated Congress. Before he did that he wanted to show everyone how communal the Congress and the Hindus were. He stood for election as a congress member to the Faridpur Municipality from a Hindu constituency. Although he was a renowned member and the Secretary of the Faridpur Congress Party, and was the darling of the Hindus during the non-cooperation movement, the constituents elected a far inferior Hindu candidate instead. Maulvi Khan made this stark communalism a reason for leaving the Congress in 1926. His troubles with the Hindus were not yet over. Encouraged by the revivalist Hindu Mahashabha, now inhabited by his erstwhile Congress colleagues the Hindus began disregarding the age old tradition of not playing music as they passed by the Chawk Bazar Mosque in Faridpur. When the Muslims Challenged them, the Hindus instituted a criminal case in which Maulvi Khan was falsely implicated, although he was nowhere near the site and had no knowledge of the episode. What was worse is that the Hindus won the case, basically because the Muslim's lawyer, Bar-at-law Mr. H.S. Suhrawardy was more interested in insulting the Hindus than in presenting the merit of his case.

Maulvi Khan ran for a seat in the Bengal Legislative Council from Sadar and Goalando sub-divisions of Faridpur in 1926. In an interesting battle with Mr. Lal Miah, in which Maulvi Khan had to overcome an attempt to buy him off, the people's spontaneous enthusiasm for his candidacy prevailed. He won again in 1930, and in 1937 he defeated the formidable Congress candidate Mr. Humayun Kabir, Maulvi Khan contesting as a Muslim League candidate. Maulvi Khan played a leading part in enacting the Bengal Tenancy Amendment Act and fought vigorously for the tenant's right to transfer land, and against the landlord's right of preemption. From 1937 until the partition of India in 1947, Maulvi Khan held the portfolios of the Ministers of Health, Agriculture and Industry, and Education in the Bengal Cabinet.

By the 1940s, the socio-religious forces were pulling the Hindus and the Muslims apart with such ferocity that the Muslims, fearful of Hindu domination in an independent India, began a campaign for independence not only from the British, but from the Hindus as well. The Muslims especially resented the Hindu resistance during the purely religious activity of cow sacrifice during Eid-ul-Azha, and the fact that the Hindu Zeminders has banned cow sacrifice in two-thirds of the Bengali villages under

their control. The polarization between the two communities was so extreme that the "Great Calcutta Killings" of Muslims took place in August, 1946, when they were observing a "Direct Action Day" for the achievement of Pakistan. There was an immediate retaliation in Noakhali, where the victims were Hindus. With these flashes of communal violence threatening to engulf the whole subcontinent, it was clear even to the Congress leaders, Mr. Gandhi and Mr. Nehru included, that the two communities had to separate to live in peace.

Thus Pakistan was achieved in 1947, but it was the shape and size of East Pakistan that appeared "truncated and moth-eaten." Although the Muslims of Bengal had more to do with the creation of Pakistan than any other Muslim majority provinces of pre-partition India, it appeared as though in an independent Pakistan, the role of East Pakistan and its leaders had shrunk along with the size of their province. More important, although the majority of the Pakistanis spoke Bengali, there was an immediate attempt to impose Urdu as the only official language of Pakistan. This was the beginning of the end of Pakistan.

Maulvi Tamizuddin Khan was elected as the Deputy President of Pakistan's Constituent Assembly, with Quaid-e-Azam Mohammad Ali Jinnah, the nation's founder, as its President. When Mr. Jinnah died in 1948, Maulvi Khan was unanimously elected as the President of the Pakistan Constituent Assembly.

Ominous clouds began gathering at the horizon for Pakistan's nascent democracy. There was considerable foot-dragging at writing of a constitution for the new, geographically separated nation. Students at Dacca University were killed as they protested the imposition of Urdu, giving rise to the historic "language movement", which had a lot to do with the annihilation of Muslim League in the 1954 provincial elections, as well as the creation of Bangladesh subsequently. What concerned Maulvi Khan directly is that in 1954, Pakistan's first 'dictator', governor General Ghulam Mohammad dissolved the Constituent Assembly of which Maulvi Khan was the President.

Maulvi Khan refused to be coerced or intimidated and challenged the illegal dissolution in the Sind Court in the landmark "Tamizuddin Khan versus Federation of Pakistan" case. He won! However, on appeal, the Federal Court set aside the Judgment on the controversial doctrine of "State Necessity" (See the appendices). Maulvi Khan's courage and integrity won him universal acclaim.

The decision, on the other hand, took Pakistan slowly but surely towards dictatorship and military rule.

Inevitably, Martial Law was declared in Pakistan in October 1958 and the Commander-in-chief of the Armed Forces, General Ayub Khan took over. A new constitution was

approved in 1962 that gave the country a presidential form of Government. Elections were held under the new constitution in 1962. First the President, and then the National and Provincial Assemblies were elected. Maulvi Tamizuddin Khan sought election to the National Assembly from a Dacca-Faridpur Constituency and won easily. He was unanimously elected as the Speaker of the Pakistan National Assembly in 1962. In the absence of the President, he acted as the President of the country.

Maulvi Tamizuddin Khan breathed his last in the morning of August 19, 1963 at the Combined Military Hospital, Dacca. In condolence messages, various national and international leaders called Maulvi Khan "a jewel", "a saint", and "not a man, but an institution." Maulvi Khan was given a State Funeral and was buried near the proposed site of Pakistan's second capital near Tejgaon (Chapter VII).

Maulvi Khan's politics and imprisonment meant enormous financial and emotional hardships for his own and his father's families. He meant to make it up to them. Even then, he consciously decided not to try and become the leading political personality of Muslim Bengal- he could never ask his family for that big a sacrifice. It was his abiding regret that his father passed away before he was able to give him real financial help, and before he had the satisfaction of seeing Maulvi Khan make his mark and really prosper in life. He nursed a lifelong remorse for it.

Unfortunately for Bengali Muslims, very few of their political stalwarts wrote their memoirs or shared their thoughts and vision of the future with their countrymen. The country is poorer for that. Although Maulvi Tamizuddin Khan could not finish his memoir, there is enough in it to whet the appetite of the social and political historians. He is vivid in his description of the village life, candid about the view of the Indian independence movement from his vantage point, and he does not mince his words commenting on the actions and motives of leading politicians.

One small incident in Maulvi Tamizuddin Khan's life gives the measure of the man and his values. He was truthful to a fault, but describes in great detail the one occasion when he was not. As a child of 14, in a small business venture with some Hindu friends he made a profit of about 10 or 12 annas that he did not share with his partners. Years later, when he was known throughout India he decided to make amends. Brushing aside all considerations of prestige or consequences, he went to these two gentlemen of his village, persuaded them to accept one rupee each and begged them their forgiveness. Not only did the two bewildered Hindu gentlemen forgive him, one of them made the prophetic statement: "Tamizuddin, you will be a great man!"

## CHAPTER I CHILDHOOD AND EARLY VILLAGE LIFE

There was no record of the date of my birth but it was ascertained from unmistakable evidence that I was born in the month of March, 1889. Very few Muslim families in our part of the country are accustomed to keeping records of births. Hindus, however, being believers in astrology generally maintain such records from which horoscopes are drawn up. I had a Hindu friend named Lalit Chandra Sarkar, one of my intimate childhood playmates, whose elder sister, Monorama was born in the same month and year as I and had as usual a horoscope. Through the good offices of this friend I came to know that she was born in the month of March, 1889 or 1890. I heard from my mother that my birth took place a little after midday on a Thursday in the Bengali month of Chaitra which corresponds to February-March of the English Calendar. From these dates an eminent Hindu astrologer calculated that my birth took place in March, 1889. The place of my birth, an ancient village named khankhanapur in the district of Faridpur in East Pakistan (now Bangladesh), is of some historic renown. The name itself bears testimony to the fact that it was derived from the title of 'Khan-i-Khanan' given by royal decree to certain high Moghul military dignitaries.

What was Bengal proper, or ancient Banga, comprised of the south eastern districts of East Pakistan. This prosperous and fascinating land, guarded and intersected by formidable rivers and innumerable creeks, made it inaccessible by ordinary means of transportation, thereby developing a tradition of exclusive independence and defiance of any outside authority.

The great Moghul Emperor Akbar had dispatched a big army in the year 1574 for the subjugation of Bengal. A separate force was detached from this army under the command of General Murad Khan Khankhanan for the conquest of South-East Bengal. According to the Akbarnama, (Akbar's memoirs) Murad Khan conquered Fatehabad which has now become Faridpur, as well as Bakerganj. He did not return to Delhi after completing his task but settled along with a number of his men in the district of Faridpur. According to some historians, he took up residence in a village which he honored by conferring on it the name of Khankhanapur after his own distinctive title of Khan-i-Khanan. Khankhanapur is the largest village in the Goalundo Subdivision of the district of Faridpur and is 13 miles to the north of the district town of Faridpur.

### **a. My Ancestors and Family**

I am inclined to conjecture that the remote ancestor from whom my family sprang up might have been amongst the retinue of Murad Khan, who settled at Khankhanapur. There is no record of my family history but my father and many others told me that our family did not originally belong to this part of the country but had migrated from the

west. My father did not remember the name of any ancestor earlier than his great grandfather, Ghulam Rasul Khan, who was succeeded by two sons, Hemayetullah Khan and Fakir Mohammad Khan. Hemayetullah's son was Shariatullah Khan, who was my grandfather. It is also not unlikely that it was my father's great-grandfather Ghulam Rasul Khan who migrated to Bengal at a much later period than the reign of Akbar.

Till the time of my grandfather the worldly circumstances of our family were fairly prosperous. Beside other sources of income the family owned a village and the leasehold of a big market. But unfortunately the landed property was in the close vicinity of the great, erratic river Padma (lower Ganges) which has the habit of annually eroding, particularly in the rainy season, one or the other of its two banks creating havoc amongst the people affected and rendering thousands homeless. Our homestead and other landed properties which were on the west bank also fell victim to the river. When our homestead was first washed away, another homestead was built some distance off the original, within the limits of the village of which our family was the proprietor. But the ruthless river pursued our family most relentlessly and eroded our homestead seven times! At the seventh erosion not only our homestead, but also the remnant of the landed estate was gone. My grandfather purchased a plot of homestead land at a considerable distance from the river from a Hindu and erected thereon a number of thatched huts for our family to live in. The river pursued the family as if with a vengeance and made quick work of the wide tract of land between it and our new homestead. The latter too was all but washed away when, the river suddenly changed its mind. It receded eastward leaving a deep wide channel in the close vicinity of our house, which was navigable for quite a number of years, after which it languished and is now a mere shadow of its former self, having water in it only in the rainy season.

The damage done by the river, coupled with the characteristic pride of my grandfather reduced our family to utter poverty. Our lands, washed away by the river, re-formed in winter and there was a dispute over these re-formed lands between two superior landlords, both Hindus, but one belonging to the Saha Caste, a trading Community considered low in the caste-ridden Hindu Society. The social behavior that grew up in the Hindu society in the wake of the caste-system was also recognized by the Muslims, though in general the Muslim society was immune from its contamination. As luck would have it, the dispute over the superior rent receiving interest in our lands was decided in favor of the Saha landlord. My grandfather, who could easily get back the family estate, declined to lay any claim to it for the simple reason that he could never induce himself to offer to a member of such a community, the customary salutations due to a Zemindar (landlord).

After this tragedy, the main income of the family consisted of what arose out of the temporary lease-hold of the local market. Misfortune never comes alone. Soon after, my

grandfather, who was the mainstay of the family, died leaving my father who was then a boy of about ten a helpless orphan. With the death of my grandfather, the lease-hold of the market had also gone into other hands.

### **My Father**

My father Mohammad Amiruddin Khan when orphaned had to give up his schooling. He had two other brothers Mohammad Nuh and Mohammad Jamaluddin. He had four sisters who had all been married during my grandfather's life-time. Two of them had been widowed and being childless lived with their brothers. Mohammad Nuh was the eldest of all. He had already married and had several children. He was of a violent and quarrelsome temper and very soon the brothers had to separate themselves and to partition the family properties. The other brother Jamaluddin had received some education and was expecting to be employed in the Police Service when he suddenly died. The widowed sisters preferred to live with the youngest brother, my father.

There was another family that lived in the same homestead in those days. My father's eldest sister had been married to Khandkar Mohammad Kazim Ali, who was in the Police service in North Bengal. His wife and children lived in our house and after his retirement he too lived there for a number of years before he built a separate house of his own in the same village about a quarter of a mile to the South of ours. The third sister lived with her husband and children in a separate village several miles away.

When my uncle and father separated, the entire family property consisted of the one acre homestead plot, two more acres of arable land adjoining the homestead and about three acres of 'char' land about a mile off from our house. Divided into two equal halves between my uncle and father, the sisters not claiming their shares, this little estate was hardly sufficient for the maintenance of the two families. In contravention of the family tradition, my uncle and father were compelled to cultivate these lands with their own hands and they carried on a precarious existence in extreme poverty. Most of the women members besides attending to other domestic duties were engaged in spinning which made a modest but very welcome addition to the meagre family income.

My father was a well-built handsome and courageous man who from his early youth had to put up a valiant fight against poverty and its concomitant evils, but he never gave way to despair. When he grew up he married Qulsum Bibi, my mother, who was the daughter of Mollah Dukhi Mohammad of village Shobharampur near the town of Faridpur.

### **My Mother**

My mother was of very handsome appearance with fair complexion, brownish eyes and hair, and a medium figure. She was very painstaking and industrious and had the gift of an extraordinary courage. I remember an incident when on a dark night one of our calves, tethered in a shed near a bamboo-bush to the south of the homestead, gave a

terrible cry as of being attacked by a wild animal. Without a moment's delay my mother rushed to the scene hurling shouts at the unseen beast which however had been apparently scared away by the shouts !

My mother was a child of 7 or 8 years when she was married and my father was at the time about 10 or 12 years older. My mother had a very precocious physical development and if what she told me was correct she was scarcely eleven when I was born!

She was perfectly healthy except that she suffered in her youth from that mysterious malady which is diagnosed by most physicians as hysteria. Hysteria exhibits certain astounding symptoms which are popularly believed to be due to possession by 'jins' or spirits. Whatever it is there is no doubt that it affect the nerves of the patient, and I think some of this disease was transmitted to me. In my early childhood when I was about 5 or 6 years old I was subject to a peculiar nervous affliction. Its outward symptom was that I occasionally fell into swoon which was preceded by a phenomenon visible to me alone, of a small bluish object in the air in front of me slowly hovering towards me. All other remedies available in our locality in those days having failed, I was placed under the treatment of one Lokman Kaviraj who claimed to be an occultist and physician. He gave me an oil of abominable smell to be besmeared over my body. If nothing else, the odour itself succeeded in scaring away the evil spirit and I was cured. In later years when I was about 13 or 14 years old, one winter morning I sat for a long time near a glowing hearth in our back yard, and as I stood up to leave the place, I dropped down into a swoon. This was the last appearance of the disease.

Out of the glimmerings of conscious memory emerging out of the blankness of infancy I can picture a few incidents too trivial to mention. I learnt to speak at the usual age and I was told that the first word I uttered was "phool" (flower).

When I was a little older, a tragedy happened which made a deep impression on my mind. A beautiful white kitten was procured for me and I fell in love with it at first sight. For a time it was to me the centre of all attraction and the only object worth living for. But my happiness was short-lived. One dark evening while I was squatting on the north veranda of our southern hut, the kitten which had strayed into the back courtyard, gave a terrible cry and my father from the veranda of the eastern hut shouted, "Oh, the kitten is taken by a jackal !" I burst into a loud and prolonged cry and my parents and aunts with all their efforts could not console and pacify me until they promised to get for me a similar kitten very soon, a promise that was never fulfilled!

When I had become conscious of my surrounding, I found that my uncle occupied the northern hut of the homestead. He had only another small hut which was the cookshed. He lived in that portion of the homestead with his wife and a small daughter Asirannessa about two years younger to me. The rest of the homestead consisted of an



eastern hut where my parents slept with my younger sister Mazirunnessa, a western hut with a veranda on the east where I used to sleep with my two aunts, a southern hut which has the cowshed and a south-west hut in the back courtyard, which was our cookshed.

The cooking, washing and cleaning including sweeping of the yards were done by my mother. Both my widowed aunts Khodeja and Sabja, who lived with us were elder to my father and as between themselves Khodeja was the elder. Khodeja, slow and sedate, did not do much household work. She took a fancy for me, loved me like her own child and undertook the arduous task of my upbringing which she performed with a devotion and solicitude exceeding that of the average mother. My youngest aunt also had a deep affection for me. She was however almost constantly preoccupied with household work and the management of the family. She was in fact the mistress of the house and her intelligence and initiative was an asset to the family. Off and on she carried on a petty trade in rice, kerosene and mustard oil, her customers being our neighbors, particularly fisherwomen. I looked upon my aunts as mothers and on most occasions addressed them as 'ma' (mother). Like other women in those days, my aunts, particularly the elder one did a good deal of spinning. My younger aunt and my mother did so only occasionally when they were free from more pressing domestic work. A part of the required cotton was grown on a plot of land adjoining our homestead and the remainder had to be purchased from the "Fultala Hat" the local market about a mile to the north of our house, of which our family had previously held a lease. There was another less important market named "Basantapur Hat" to the south of our house at about the same distance. I used to watch with deep interest and a peculiar thrill the different processes of preparing cotton for spinning, the spinning itself, during which the quick revolutions of the wheel created the illusion of its looking like a smooth round solid mass, producing a sweet humming sound. Occasionally, much against the protestations of my aunt I could not resist the temptation of trying my hand at spinning, with disastrous consequences which made my aunts' countenance red with anger.

### **Brothers and Sisters**

I had two brothers and six sisters. One sister died in her infancy and the rest of the sisters except one died in their early youth. My sister Mazirunnessa, nicknamed Masi was about two years younger to me. Being nearest to me in age she was the most intimate to me amongst my sisters, though all my other sisters and my cousin Asirunnissa were also very dear to me. After Mazirunnessa, three more sisters, namely Badrunnissa nicknamed Burri, Laik-un-Nissa nicknamed Lakki, Fahamunnissa nicknamed Feli and Jobeda Khatoon nicknamed "Kamala" were successively born. The whole family was anxious for another boy and in 1908, Abu Ahmed nicknamed Abu my younger brother was born. He was followed by another boy who was named Tafazzal Hossain in 1910 who died when he was about 2 years old.

There was no girls' school near about our house and none of my sisters was sent to school. Jobeda alone received some education at home. They were all very good looking. Badrunnessa and Jobeda were fair-skinned while the rest were of brown complexion. Jobeda's beauty was on an extraordinary nature and next to her in grace was Laikunnisa. They were all devotedly attached to me and I loved them with all my heart.

### **Nasir**

During the early years of my conscious existence my sister Mazirunnissa was my most intimate companion. My uncle's daughter Asirunnissa alias Assi was a little younger than Mazi. She too was very dear to me. The family of my father's eldest sisters' husband, Khandkar Kazem Ali had by now moved to a new house. Khandkar Kazem Ali had only one son named Khandkar Rahmat Ali and two daughters Fahamunnissa and Karimunnissa. Both the daughters had been widowed, Fahamunnissa having a son. Mohammad Nasiruddin Baig and two daughters Tasirunnissa and Fakhrunnissa, nicknamed Fulmala.

Nasiruddin was older to me by one year and five months. He was born in our house before his grandfather moved to his new residence. He used to come to our house every now and then and I too occasionally visited their house. We two were like brothers and played most important parts in each other's life. He had a beautiful face with a dark bright complexion, was very smart and courageous, rather a little naughty, of a very genial but quick temper, he had a tenacious and determined character and a strong, practical sense in combination with certain unique qualities of leadership.

### **Neighbours**

Our part of the village was inhabited mostly by Hindus. To the immediate south of our house lived a Hindu family, the Mitters, to the immediate west three barber families. To the south-west of our house was the "Sarkar" family and to the south-east was a "Chaki" family. To the south-east of our house about 150 yards off was an entire hamlet of fishermen. All these were Hindus, and there were many other Hindu families towards the west and north of our house. To the immediate east of our house was the river the east bank of which was inhabited entirely by Muslims. But as the river intervened between us, we had very little social intercourse with them. To the east and south of the fishermen hamlet there lived a large number of Muslim families.

Two barber boys, the elder Ghetu and the younger Ghetu were my close childhood associates. So was Lalit of the Sarkar family. There were no male children in the Mitter family. I had also some intimacy with Mintu and Kunja who belonged to the fishing community. Amongst Muslim playmates who became associated with me when I grew a little older were Mirjan, Rashid, Karim, Akbar and others who were close neighbors of Nasir. The circle of my Hindu associates also became wider as a matter of course, as I grew older.

My surroundings in general and most of my playmates were such that a growing youngster could easily have been led astray. The innate exclusiveness of my character coupled with such advice as I could get from my father and later on from my teachers, largely protected me from the malign influences that lay all around.

When I was about 4 years old my uncle Mohammad Nuh died. Apart from the tragedy inherent in it, his death was of far reaching consequences for our family. Shortly after his death his widow left for her father's house with her little daughter Asirunnissa. Asirunnissa was very dear to me. Her mother also had an affection for me. I felt many a heart pang at their departure from the house.

My father was naturally anxious that my uncle's half-share of the family property might not go to other hands. Acting upon such advice as was available he went to the house of my aunt's father and made a settlement with them according to which my aunt agreed not to claim her share of the inheritance and my father undertook the responsibility for the upbringing of her infant daughter and looking after the property left by my uncle on behalf of his orphaned daughter. It was a joy to me when I found that my father came back successful from his mission with Asirunnissa accompanying him! But the happiness was short-lived. After a couple of years or so Asirunnissa was attacked with cholera of which she died. My sister Badrunnissa Burri also had a mild attack, but she recovered. Practically no treatment could be medicine to Asirun, which was of no avail, and as for my sister she had no treatment at all. There was no qualified physician near about and even if there had been any, my father's poverty would have stood in the way of securing their services.

### **b. Schooling**

My first teacher was my father. One morning in my fifth year or so I was made to squat on a mat spread on the veranda of my father's dwelling hut in front of an inkpot half filled with ink prepared from soot scraped from a blackened earthen cooking pot and a pen made from a dry bamboo twig. My father, with the sharp edge of a piece of broken earthen-pot, curved the figures of a few Bengali alphabets on a number of plantain leaves torn to size and I was asked by my father to put ink with my pen on the carvings. As my hand was unsteady, my father grasped it in his palm and guided the pen which was in my hand, over the engravings. After giving me this initial training several times he asked me to repeat the operation unaided. My efforts met with repeated failures and I felt and looked extremely puzzled. My aunts and mother were watching. My repeated failure brought forth a sharp rebuke from my father. My reaction was equally sharp and altogether unexpected by my father. I flew into a rage, burst into a loud cry and hurled the inkpot on the mud-plastered floor of the veranda spilling all the ink. My aunt Sabja clasped me in her arms and took me away from the explosive scene. Thus ended my father's attempt to work as my teacher.

This was perhaps the most gloomy period for the Muslims of this country. The British policy of suppressing the Muslims and uplifting Hindus, adopted after the First War of Independence, derogatorily given the name of the "Sepoy Mutiny" by the foreign conquerors, had acted like a slow poison. It reduced the Muslims, who had once been superior in intellectual attainments, organizational talents and material prosperity, to a people grovelling in utter indigence, ignorance and despair. The Muslims, who had naturally reacted to the British design to impose their language and culture on the conquered Indians by boycotting English education were still clinging in general to that attitude of non-cooperation and as a result the schools and colleges established and encouraged by the British Government had very few Muslim students.

The prospects of my education were rendered darker by the nerve-racking poverty of my father. Very few indeed, placed in similar circumstances could think of giving any education to their sons in those days. The education of a girl was still more unthinkable on account of these as well as social and utilitarian reasons. My father was apparently not in favor of continuing the boycott of English education. His iron determination overcame other difficulties. Family tradition had naturally created in him an ambition to give education to his son and he fought against formidable obstacles to fulfill his ambition. He was so keen about my education that he never required or allowed me, inspite of pressing necessity, to participate in the hard work of farming, out of fear that it might distract my attention from my studies.

After my father's first effort to initiate me to the art of writing had ended in a fiasco, he placed me incharge of my cousin Khandkar Rahmat Ali, son of Khandkar Kazim Ali and a nephew (sister's son) of my father. Nasir, Rahmat Ali's nephew was also his pupil at that time. Rahmat Ali had read upto the Entrance standard, which was considered quite good education in those days.

I was under his charge only for a short time, because very soon a regular elementary school was started at the house of Jhapu Khan and my father sent me there. Sashi Bhusan Ghosh, who was a neighbor, was the only teacher in that school. My father called him to our house, introduced me to him and requested him to take interest in me, which he promised. The school was very near Nasir's house and he also joined.

This mushroom school lasted only for a few months during which I made very little progress. The only vivid recollection that I have of this school is the picture of the teacher with a thin cane in his hand, of which he made quite liberal use, and his other favorite form of punishment of keeping delinquent boys standing on one leg. The teacher, probably on account of my father's request to take interest in me, appeared to be partial to me, for I never received any chastisement at his hands.

### **Mosque at Jhapu Khan's Place**

Jhapu Khan, the proprietor of this school was the richest Muslim in our locality. He had more lands than anyone else amongst his neighbors and was also a petty trader. Though illiterate, he had a religious bent of mind and erected a tin-roofed mosque of which Khandkar Md Kazim Ali, my father's brother-in-law, and later on his son Khandkar Rahmat Ali were Imams. My father and aunts orally taught me the Quranic verses usually employed in offering prayers and its concomitant recitations, postures and procedures. I was initiated into the practice of saying prayers at a very young age. When I was a little older I used to accompany my father to this mosque for the purpose of "Jumaa prayers" on Fridays and "Taravi" prayers in the fasting month of Ramzan. During my early childhood, "Ramzan", fell in winter. "Taravi Namaj" which is a lengthy process, is a special prayer offered five daily compulsory prayers offered by Muslims throughout the year. A small child as I was, after the day's fast and a heavy "Iftar" (food at fast break) at sunset, I used to fall asleep and it was a difficult task for my father to wake me up for going to the "Taravi prayers". After reluctantly waking up I felt revived and refreshed after the necessary ablutions, and the subsequent journey to the mosque and back home had ample compensations. The nightly walk behind my father during the month, in half moon-light and half darkness, with the river on one side and hedges and trees glistening with myriads of glow-worms on the other, unoppressed by the fear of Ghosts owing to the presence of my father, was a most fascinating experience. Assembled in the mosque compound, the devotees, about 15 or 20 in number warmed themselves for a while by kindling a fire with straw taken from the straw stacks of Jhapu Khan and then resorted to the mosque for prayers as the 'Moazzin' chanted the "Azan" (a sonorous and rhythmic call to prayer). Though I did not then know the meaning of the Arabic prayers, the musical delivery of the Imam. enthralled me and I felt absorbed in a sense of devotion, humility and peace of mind.

With the abolition of the school at Jhapu Khan's house, my father faced a new difficulty in his attempt to educate me. Any other father, placed in similar circumstances would in all probability have given up the idea of educating his son. But my father was determined to overcome all difficulties. He next sent me to a 'Maktab' (A primary school with an Islamic bias) at the house of one Dianat Mridha of Nimtala, a neighboring village, about a mile to the south-west of our house.

I made some progress at this school and completed the period during which a pupil has to do his writing of the alphabets on banana leaves. On the first day of my using paper, a customary ceremony was held at the school. The previous day I was asked to bring from home a sufficient quantity of puffed rice ("Khai") and "Batasha" (a candy prepared from molasses) for the entertainment of the students and teachers on the happy occasion. My mother and aunts prepared the "Khai" at home with pride and pleasure and my father brought a supply of "batasha" from a grocer in the market.

On the appointed day I carried the same to the school tied up in a biggish bundle with my "*chadar*" (thin sheet for wrapping the body, or for being folded and hung round the neck). During the midday recess the teachers and the students assembled in a group and I was given a sheet of white paper for writing the alphabets on it, which I did with a trembling hand. The delicacies were then distributed, each recipient taking his own share in a fold of his "*chadar*".

I also learnt the Arabic alphabets at this school and commenced the reading of the last chapter of the Holy Quran called "Am-Para".

In this school also the cane was used mercilessly and the way in which one of the teachers misused it on some children was nothing short of torture. The sight of it used to frighten me almost out of my wits. I was at this school for a year or so.

My father then sent me to a better school which was situated at the house of a goldsmith named Jadab Chandra Karmakar, who in addition to his ancestral profession, conducted the school as its principal teacher and superintendent. Nasir also attended this school. I was placed in a class which I found a little too class and overcame my initial embarrassment. I was very much impressed with the talents of a boy named Keshab Chandra Ghosh and in course of time a warm friendship grew up between us. Jadab Chandra Karmakar was a good teacher but his stern countenance, pungent speech and his cane made him a veritable bugbear to me, though I had the singular good luck of escaping his wrath, probably on account of my earnestness as a student and my mild nature. Nasir in these respects was the opposite of me, being restless, turbulent and neglectful of his studies.

This was a combined school for both boys and girls. The thatched school house was a large longish structure with a small anteroom separate from the main hall containing the boys' classes by a thin, matwall. The anteroom accommodated the girls' section. The wife of our teacher Jadab Karmakar was also a student. She was of a more advanced age than the rest of the girls none of whom appeared to be over 12.

The class to which I got admitted was adjacent to the girls' room and it so happened that I occupied a seat on a bench that touched the thin matwall separating our room from that allotted to the girls. One day curiosity impelled me to look into the girls class through one of the innumerable tiny openings in the matwall. Forth-with an elder boy named Mundir snapped at me, rebuked me for my improper conduct and threatened that he would make a complaint to the teacher. I was stunned. This was my first initiation to the knowledge that looking at the girls was considered as a crime and my little heart was weighed down with a sense of shame and terrible fear of punishment from the teacher. I was a shy little creature, almost speechless and Mandir probably took pity on me and did not execute the threat he had administered. I learnt the lesson of my life!

## **Sarala Sundari**

There were ten or twelve girls in the school. Some of them hailed from a hamlet midway between the school and our house, situated on the west bank of the river. It so happened that on dismissal of the school in the afternoon or at midday during the hot months when the school sat in the morning, about a dozen students, both boys and girls, walked homewards together in a boisterous group which included also the girl students belonging to the aforesaid hamlet. There used to be in the group a handsome girl aged about 12, named Sarala Sundari, a very meritorious student. I was one of the youngest amongst them. I was already building up a reputation for good conduct and one day while the group was winding homewards, I was the recipient of a compliment from Sarala Sundari who described me as "a very good boy". I felt embarrassed and kept mum and others probably felt jealous, because praise from such a meritorious student had a value of its own! Though I had then only a vague appreciation of this encomium it was probably a contributory factor to the growth of a semiconscious determination to live up to the praise. My acquaintance with her ended shortly afterwards, either on account of my leaving the school or her marriage earlier resulting in cessation of her studies, but her 4 brothers Bhuban, Bijoy, Safis and Hemanta were my school friends during long years.

On my way to the Basantapur School I had to cross a small artificial channel called "jola" in our locality, which had water in it only during the rainy season. My childhood hobby of angling frequently brought me to this channel in the afternoon during the early rains when water from the swelling river began to enter the creeks and swarms of small fish came upward along with the harvest to the anglers, mostly students, thronging the banks of the channel.

My journey to the school and back made me pass by a place, where, if alone, one had an unspeakable feeling of eerie. My path lay across a marketplace called mile off from the school. Near the market there was a fairly extensive area thickly covered with bush and big trees. There was a Hindu temple in the bush and there must have been some idols there. What I could see from my pathway was only a bush covered tent-shaped hood of deep black cloth covering something underneath. I was told by some schoolmates stories about the vengeance of the gods placed there and whenever I had to pass by the ghostly scene unaccompanied, my heart almost ceased to beat.

Approaching further towards the school the pathway lay between embankments about six feet high and there were innumerable rat holes which provided asylum to snakes, on the walls of the embankments. Here also another kind of fear mixed with a sense of fun arose in my heart. The sight of these holes reminded me of one of some childhood exploits of my father as related by him. He told me that play or work often took him to that locality and one day he saw the tail of a snake protruding out of a hole in one of these embankments. He caught hold of the tail and pulled with all his might, but he

could not force the snake out. Thus frustrated, he tied up the tail of the snake with a rope and with a strong pull wrapped the rope around a tree nearby. On going to the place next day he again gave a pull to the rope and a big dead snake came out of the hole!

When I was about 8 years old the great earthquake of 1897 took place. It was in the afternoon and I was somewhere near the mango-grove of the Mittras, which was a beauty spot in our locality, along with my playmates, Lalit, Ghetu the elder, Ghetu the younger and several others when that alarming rumblings unheard of before reached our ears. Moments later the earth under our feet began to shake violently and the trees and huts began to swing. There were spontaneous shouts of "Earthquake! Earthquake!" All my companions ran into the house of the Muslim boy there was probably a vaguely realized consciousness in me about the impropriety of entering the inner compound of a Hindu house. So I began to run helter-skelter towards our home about 100 yards away. I was terribly frightened and was staggering at every step. When just near our house I actually fell down on the ground. Someone at our house, my mother or one of my aunts ran to me and took me to our house, both staggering awkwardly. My father was not at home. The quake lasted probably for two or three minutes, but the period appeared to me to be much longer.

The next morning I went to our fields to the east of our house. There were awful wide cracks in many places. The cracks were so deep that the subsoil water was visible. I had all but finished my course at this school in about two years time when my father sent me to a school of a higher standard. To the north of our house about a mile and a half off there was a junior secondary school, called Middle English School in those days. It was the best school in the entire locality. It was rather expensive for poor folks like us, but my father was prepared to undertake the financial responsibilities involved. As I was very young my father enlisted the sympathy and assistance of a close neighbor named Basanta Kumar, who was a teacher in that school. He belonged to the Hindu fisherman community but had to walk on crutches with jumping steps. He was a thorough gentleman of a genial temperament with an ever-smiling face. At my father's request he gladly agreed to do everything regarding my admission to the school and to take interest in me.

### **Early Crisis in Education**

I was admitted to the 5th standard. I began to learn English at this class commencing from the alphabets but I found that I was far behind the old students who had begun to learn English earlier. To make matters worse for me our English teacher Rajani Kanta Choudhury was a terror to me and I could hardly derive any benefit from his tuition. His rebukes, administered with a cynical smile as well as his method of administering corporal punishment was terrible. He did not make much use of the cane. His powerful hands were a more fearful substitute. His favorite punishment however was to make boys kneel down on the floor or on benches and to keep them for long hours in that



state. He would put a question to the first boy sitting at the head of the class and if he could not give the correct answer, the question as long as unanswered, passed round the class and all who failed to answer it were made to kneel down. He was such a terror to the boys that even those, particularly myself, who knew the answer but were not quite sure of its correctness, hardly ventured to hazard a reply to avoid his deadly rebukes in the event of the answer being incorrect. The result was a sort of mass punishment, and very often the entire class was on knees. He might have been a bit tired of repeating his order to "kneel down" to so many boys and therefore invented a device for avoiding such repetition. If a boy could not answer a question, over and above his usual lot of kneeling down, he was rebuked and scolded for not having already knelt down as he knew that he would not be able to answer the question. This had the effect of introducing an element of fun in the tragic drama. As soon as the teacher would put a question the vast majority of the boys were seen lifting their *dhoties* above their knees to prevent the same being soiled by contact with the bare ground and kneeling down on the floor quite in advance of the question reaching them. During this period the school was a veritable hell to me. One day I played a truant, kept away from the school and hoodwinked my family by returning home as if from school, in the afternoon. Another day I pretended severe pain in my stomach to avoid going to school.

When I could bear the ordeal no longer I was compelled to take recourse to a more serious subterfuge which might have given a twist to my entire career. There was an alternative vernacular course available to the students, without English as a subject of study. I made a false declaration to the school authorities that it was my father's wish that I should take up the vernacular course and thus saved myself from the daily torture. This was perhaps the unhappiest period of my academic career, because I naturally abhorred to tell a lie and particularly to conceal anything from my father.

I had a providential deliverance from this sad predicament. A few months later there was a welcome change of the English teacher. Dinabandhu Ghosh replaced Rajani Kanta Choudhury. Dinabandhu started the teaching of the English text book from the very beginning and his approach being more genial and human I could follow him very well. Not that he was averse to physical punishment. A default on the part of a boy would make him fly into a violent rage and mercilessly cane his unfortunate victim. I was lucky enough to escape his wrath as I had now been able to catch up with the class. I passed the annual examination and was promoted to the higher standard.

In my new class I was faced with another crisis. Our teacher of mathematics was altogether unequal to his task. He did not know anything about the new Arithmetic prescribed for ME Schools though he seemed to be an expert in "Shubhankari", the old indigenous mathematics mainly meant for the MV (middle vernacular) Course. Although I was a good student in other subjects, in his class I was a cipher and had to bear the full brunt of his wrath and ridicule. He formed a very poor opinion about me and was disagreeably surprised when on his enquiry some students told him about my

proficiency in other subjects. His most favorite pupil was one Kalipada who was the oldest and proficient in class in all other subjects.

### **Saved Again!**

Once again I was rescued from an inevitable doom by a change of teacher. We got a new teacher of mathematics, named Janaki Nath Biswas who had passed the Entrance (Matriculation) Examination, quite a high qualification in those days and was also an excellent teacher. He had a genial disposition and even when he used his cane he bore a smile and never struck the students except on their palms. Students in those days, particularly sons of poor parents like me could never think of engaging private tutors and everything depended on the tuition received at school besides individual application and assiduity. Under Janaki Nath's tuition I recovered my lost confidence in mathematics and at the Annual Examination I stood first in all the subjects including mathematics. My father was visibly happy when he learnt about my success and so were my mother and aunts.

I feel tempted to narrate one ludicrous incident while I was in this class. Basanta Kumar Malo, a Christian was our Bengali Teacher. His favorite way of punishing a defaulting boy was to pull him by the 'chadar' hung round his neck, make him stoop against the table in front of the teacher and then give him a fist blow on the back. On such occasions he used to raise his right arm to the utmost height, apparently aiming a heavy blow, but actually the blow was much milder. One day I was his victim. He made me stoop against the table with bent back expecting a heavy blow. I remained in that unenviable position quite a long while and seeing no blow come I bashfully raised my head only to find the teacher wearing a broad smile and the whole class rolling in laughter.

On being promoted to the 3rd standard we got Rajani Kanta Choudhury again as our English teacher. He revealed himself to me in a new light this time. The cane had gone, there was no kneeling down any longer and what was most surprising to me to discover was that he was also an efficient teacher. His pungent rebukes however were still liberally administered, and, excruciating as these must have been to the victims, the rest of the class heartily enjoyed the humor. I maintained my position in this class too and again stood first at the annual examination.

While we were in the 2nd standard our school was raised to the status of a High English School and given the name of "Suraj Mohini Institute" after the name of the wife of our Zemindar Bepin Behari Roy who was the proprietor of the school. We were placed in the 5th class (class VI from the bottom) of the High School.

Bepin Behari Roy had the reputation of being a very benevolent zemindar, solicitous of the welfare of his tenants. He had adopted *Brahmaism*, a kind of reformed Vedic Hinduism which stands for monotheism and discards image-worship. The founder of

the cult was Raja Rammohan Roy, who in addition to his learning in English and Sanskrit was well-versed in Islamic lore. *Brahmaism*, like *Sikhism* and several other similar religions, was the product of Islam's impact on Hinduism. Our Zemindar, was however amply rewarded for his benevolence. When he desired to enhance the rate of rents payable by his tenants, the latter, one and all agreed to pay at a rate above the statutory limit and also to pay half an anna per rupee (1/32 of a rupee) of rent towards the expenses of the school. The zemindar deserved every credit for his laudable initiative but the financial burden was entirely borne by his tenants.

Nasir took admission in the M. E. School at about the same time as I, and for about two years he was my classmate too. But he was in those days less attentive to his studies and as such could not keep pace with me and fell behind by a year. But he was almost a constant companion to me except while in our respective classes. More often than not we went to school together, returned together and played together.

While in class VI of the High School there was a set-back to my health for some time. I developed a kind of severe neuralgic head ache which would attack me every morning, subjecting me to excruciating pain, and then subside in the afternoon. As it was unattended with fever, my family did not take it seriously and did nothing about it. I was however in a pitiable condition and had to absent myself from school as long as I was under its deadly grip. My deliverance was rather accidental. Though I was so ill, Nasir induced me one day to go with him to our Subdivisional Rajbari by the early morning train before the head ache was on. While we were roaming about aimlessly along the streets of Rajbari, the head ache came down on me and Nasir did not know what to do. All of a sudden an idea flashed in his mind and he proposed to take me to the Charitable Dispensary. I staggered with him to the dispensary where the physician incharge of out-door patients gave me some pills after a brief examination. The pills had a miraculous effect. On taking one then and there the head ache quickly disappeared. I took the remaining pills as directed and the malady never reappeared. This illness had made me lag behind in my class for a while, but I gradually made up the lost ground and maintained my top position at the annual examination.

### **Teachers**

Baman Das Majumdar, who had been the Head Master of the ME School became a junior teacher when the status of the school was raised. He too was a Brahmo and along with his superb efficiency in the art of teaching and management of the school he had an exemplary character. He had played a prominent part in converting the school to a High English School and although thereafter his own comparative status as a teacher was lowered he was, till his retirement, the key man of the institution.

The first Head Master was Rasharanjan Sen, also a Brahmo who was a great disciplinarian and had a commanding personality. The appointment of so many Brahmos as teachers is explained by the fact that the proprietor himself was a Brahmo.

The benign influence of these liberal minded men kept up a high moral tone in the institution and was of immense benefit to the students, though we could hardly perceive it at the time.

Another teacher Satis Chandra Biswas though not a Brahmo was a gentleman of high moral caliber and he was also a most efficient teacher. What was unique in him was that he came into personal contact with his students, took keen interest in them and thus became their friend and guide as well. Gradually he became the most popular teacher, loved and respected by all. He was particularly loving to me and I owe him a deep debt of gratitude for the part he played in building up my career and character.

There was no Muslim teacher in the school as long as it was an M.E. School. When it became a High School a Muslim teacher had to be appointed for teaching Persian to the Muslim students. The first Persian teacher was Moulvi Mohammad Ismail, who also during the brief tenure of his office considerably influenced my life, particularly by his emphasis on Islamic values.

There is hardly anything worth mentioning while I was in class VII and class VIII except that I was deeply shocked by the misfortune that overcame a very meritorious Muslim student named Danesh Mondal during this period. He was in class IX while I was in class VIII. Danesh and two or three other Hindu students were severely caned one day for some misconduct. Danesh protested that he was innocent and he considered the punishment given him to be entirely unjustified. In protest he gave up coming to the school career was nipped in the bud. Although Danesh was then a stranger to me there was an acute and abiding grief in my mind at his unwise decision.

Though I consider that our family life was happy on the whole inspite of a grim struggle with poverty it had its peculiar dark shadows. Feuds between my mother and my two aunts over trifles were a constant feature of our family life, though otherwise they were on good terms and there were innumerable instances of happy interludes of friendly approach including occasions of hilarity and mirth. The quarrels were over nothing of any moment and were caused by most common place trivialities. Though otherwise of no consequence, these quarrels, couched in unseemly language distracted my attention and seriously disturbed my studies. Although they were all equally solicitous about my education and welfare, my protestations with them in respect of these feuds were of no more than transitory effect, and I had to suffer intense mental agony on that score. When I was in class IX and was grappling with my Matriculation Course I thought that something drastic had to be done to do away with this serious menace to my studies. Damaging house property and smashing earthen pots to teach them a lesson, though frequently resorted to, did not produce the desired effect. One evening an idea suddenly flashed in my mind and I began to act upon it forthwith. I put on my shirt and shoes, took up my umbrella and slipped away from home unnoticed and proceeded towards the Railway station near our school. A barber neighbor, Koda

Nath Seal whom I met just outside the compound of our house asked me where I was going all alone at that unusual hour and I was lucky or perhaps unlucky in being able to avoid him by giving an evasive and a very unsatisfactory reply. At about 10 pm I took the train to Rajbari where I passed the night, in the third class passengers' waiting room. All the money I had was in my shirt pocket amounting to no more than two rupees. I had no idea about where I should go, except that I wanted to keep away from home for a few days to cure the quarreling propensity of my mother and aunts. The next morning while I was still in the waiting room a smart-looking fair-complexioned young man with several other companions burst in and began to narrate exultingly the part he had played at Goalundo Ghat in giving a thrashing to a European or Anglo-Indian Officer of the Steamship Company for insulting some Bengalee employee, as I could vaguely gather from their random talk. Later on, this young man whose name was Mohammad Ismail, became a close relation as I married his first cousin. I very much enjoyed his narration, punctuated with characteristic gestures. After midday I boarded the train for Kalukhali station. Alighting there I was roaming about aimlessly when I met an elderly man who questioned me about my identity and whereabouts. After giving him an evasive reply I asked him where I could pass the approaching night and he told me I could go to the house of the local Zemindar, Choudhury Alimuzzaman.

I went to that house. The Zemindar was not at home. After a few words with a servant I seated myself in the hall of a big, well-built thatch-roofed outhouse, used as parlor as well as guest room. Later on a shabby upcountry man also came in. I was terribly hungry. Very late in the night we two were summoned to the outer veranda of the main building of the house, where a mat was spread, upon which we squatted for our dinner. A very simple fare was served, but hungry as I was I enjoyed the meal. The Zemindar, a tall dark gentleman with a well-trimmed tapering beard was reclining on an easy chair and smoking a hookah. Later on in life I became an intimate associate of this gentleman to whom, however, I never disclosed this childhood episode!

After the meal we retired to the outhouse. There was a big oval table on which I lay down, with the upcountry-man just close to me. After some conversation with the man I kept quiet. Taking me to have fallen asleep he began a manual survey of my person apparently for any money that he might lay his hands on. All the money I had was in my right shirt-pocket and I lay down on my left side with my right hand on that pocket. When the man tried gently to remove my hand I pretended to wake up whereupon he withdrew his hand from my body. There was no question of my going to sleep after that. I transferred myself from the table to a bench placed against the wooden wall of the building and passed an uneasy and sleepless night. Next morning I went to the Kalukhali station and from there by train to Rajbari.

While at Rajbari an idea occurred to me that I should go to my maternal uncle's house at Shobharampur near the town of Faridpur. The easiest way to go there was to take the train for Faridpur and walk about two miles back from there to Shobharampur. But on

pecuniary consideration I did not adopt that course and took the tree lined picturesque District Board road that runs between Rajbari and Faridpur. I walked the entire distance of 18 miles at a stretch at a terrific speed. During the journey I had to pass by a point on the road, from where my house was only half a mile off. Though I felt an acute yearning for home I had no intention of returning so soon. I was only afraid of accidentally encountering some acquaintance and of being prematurely discovered. Near about my destination the rail road was only a quarter of a mile from my uncle's house and at that point I left the railway track and took the pathway leading to that house. The whole family was taken by surprise at my sudden arrival. Gradually I disclosed the sequence of events leading me to that house.

During the five or six days I was there, I took it into my head to get admitted into the Faridpur Government High School called Zillah School. I actually went there and on expressing my desire to that effect I was examined and recommended for admission. As I was too poor to live in the school hostel I could study there only if I could stay at my uncle's house. The family however, particularly my aunt, the mistress of the house, was not at all enthusiastic about the proposal. While that question was still being repeatedly discussed, my uncle Mollah Naimuddin, who was the head of the family and who naturally realized what anxious days my parents and aunts must have been passing proposed that I should go home without further delay and might come back if I decided to study at Faridpur. My youngest uncle, Mollah Nadiruddin nicknamed Nidan who was then about 25 years old was deputed to escort me home. When we were near our house but were still on the road we were seen by my mother who had come to the date palm garden to the east of our house. She rushed forward and overcome by emotion burst into tears while pressing me to her bosom with out-stretched arms. We went into the courtyard and my aunts too behaved almost in the same fashion. My father though visibly moved remained speechless for a time.

My proposal to study at the Faridpur Zilla School which had the reputation of being the best school in the district did not materialize. My family did not look upon the idea with favor. I disclosed the matter to my teacher Satis Chandra Biswas. He too disapproved of the proposal on the score of the unwelcome circumstances in which I would have to live at my uncle's house.

My escape from home had produced the desired effect and for a time we had a quiet house. But the effect was transient and after a time human nature reasserted itself. The feud reappearing, at my suggestion my father erected a small temporary shad for my studies on open ground to the west of our house. There I was comparatively immune from the principal menace to my studies, though I became a victim to another source of disturbance. My isolation from the main house gave ideas to our neighbor Koda Nath Seal, a middle aged barber, who also carried on the subsidiary occupation of a quack physician. He forced himself on me as a pupil to supplement his knowledge of reading and writing Bengali. Almost every evening he used to come to me for taking lessons. I

had not the heart to deny him this neighborly favor, particularly as he was a good and likeable man, although in my mind I very much resented this intrusion which robbed me of so much of my valuable time.

A far more formidable menace to my studies was lying in wait for me. While I was in Class X, the final Entrance (Matriculation) Class, in the month of September or October in the year 1905, on a holiday the students and teachers of the school were assembled at a meeting which was attended also by some neighboring people. Ambica Charan Majumdar, a distinguished advocate of Faridpur, who later on rose to be the President of the Indian National Congress, was the principal speaker. His long and powerful oration absolutely captivated the audience. He explained the evil design of the Government in partitioning Bengal and urged the audience to retaliate by boycotting British goods, particularly British cloth and salt. He appealed to the patriotism of the students and asked them to join the boycott movement as volunteers. The students were electrified. His hypnotic appeal was irresistible to them. There were other speakers too and at the conclusion of speeches a boycott resolution was unanimously and enthusiastically adopted.

### **c. Partition of Bengal**

The British conquered India from the Muslims. They found that the Muslims, though overtaken by degradation and decline, were superior in powers and organizational capacities to the rest of the population. And they naturally thought that danger if any to the British empire in India might emanate from the Muslim source. The Muslims were therefore looked upon with suspicion and a policy of Muslim suppression was adopted. The sepoy revolt of 1857 confirmed their fear and the policy of running down the Muslims and uplifting the Hindus began to be more ruthlessly pursued. About half a century of inhuman victimization had all but killed the Muslims as a Community and there were ugly indications of aggressive Hindu revivalism which in course of time, came to be regarded by the British rulers as a new source of danger. The age-old policy of 'divide and rule' could not operate in such circumstances as it required at least two to divide and in this case one was all but non-existent; some far-sighted Britishers realized the futility as well as the inhumanity of the policy of slow poisoning an entire community, as Hunter's (2) account would seem to indicate, and at length the old policy underwent a modification. But the Hindus, who had now tasted blood, resented measures meant for doing some justice to the Muslim. The Hindus who had already occupied many key positions in the administration were largely successful in defeating this new policy of giving the Muslim devil his due. But this very change of attitude on the part of the Administration was resented by the Hindus. Furthermore, a sense of bitterness grew up in the minds of the English educated intelligentsia consisting almost entirely of Hindus, at the imperious behavior of the average Britisher in this country, which brought into bold relief India's subjugation to her British masters. This bitterness gradually developed into hostility towards the Muslims, which in turn was interpreted by Hindus as undue favor shown to the Muslims at their expense.

Against this psychological background Lord Curzon, no greater intellectual than him ever came from the British Isles to administer this subcontinent, assumed the Governor-Generalship of India. Apparently for administrative reasons, the cogency of which no one could deny, but probably also with an eye to the growing Hindu aggressiveness and the paradoxical Muslim docility, he decided to partition the unwieldy province of Bengal and Behar. The Partition was announced on the 20th July, 1905 and the new Province of Eastern Bengal and Assam came into existence.

The new province was 60% Muslim and 40% Hindu. Preponderance in numbers was naturally expected to place the Muslims in an advantageous position and hopes were raised that the long dark night of their misery was at last going to dawn. The Hindus on the other hand apprehended that the gain to the Muslims would mean corresponding loss to them and their leaders decided to fight the Partition tooth and nail. It is an irony of destiny that about 40 years later, in the year 1947, the same Hindu Community fought tooth and nail for a second time to get Bengal partitioned on the eve of the establishment of Pakistan.

In launching an agitation against the Partition of Bengal the Hindus never disclosed the real reason for their dissatisfaction but skillfully clothed the movement in an alluring nationalistic garb. The press and platform resounded with the clarion call that Bengali nationalism was in danger and that the menace must be fought in all possible ways.

The movement was started 17 days after the announcement of the partition by holding a meeting in the Calcutta Town Hall on the 7th August, 1905. The meeting was attended by representatives from almost all the districts of Bengal. It was named the "Boycott Movement," and later on the "Swadeshi (native) Movement", because it advocated not only the boycott of British cloth and salt amongst other things, but also the adoption of homemade substitutes. The movement spread through the entire length and breadth of the Province like a wild fire. Processions singing national songs and uttering exciting slogans with "Bande-Mataram" as an inevitable concomitant, public meetings and picketing of foreign cloth shops were the order of the day in every nook and corner of the Province. Surendra Nath Banerjee, the Congress leader was the high priest of the movement and Ambica Charan Majumdar of Faridpur was his right-hand man. Both of them were most powerful orators. Aurobindo Ghosh gave up his high office at Baroda and joined the movement preaching a new doctrine of cultural revolt. Poets like Rabindranath Tagore, D.L. Roy, and Rajani Sen, poured out innumerable soul-stirring songs. The boycott of British goods and the vow to use country made articles produced a veritable industrial revolution! The all-round political, industrial and cultural renaissance that originated in Bengal in the wake of the boycott movement and very soon encompassed the entire subcontinent, unmistakably demonstrated the intellectual leadership of Bengal and made Ramkrishna Gokhale exclaim, -- "What Bengal thinks today, India thinks tomorrow".



The agitation and the renaissance were mainly confined to the already advanced Hindu Community. The Muslims, in general not yet politically conscious, kept aloof from the movement. Educated Muslims, with a few exceptions, opposed it because in essence it was an anti-Muslim movement.

### **Nawab Salimullah**

The accredited leader of the Muslims in those days was Nawab Salimullah of Dhaka. He was the premier landlord of Eastern Bengal. He possessed a unique vision and had an intense love for his people, on whom he lavishly spent his wealth. It is not unlikely that Lord Curzon had taken his decision to partition Bengal after consultation with him. As the partition of Bengal and the consequent creation of the new province of Eastern Bengal and Assam was calculated to benefit the Muslims, -- whatever might have been the real motive behind it -- Nawab Salimullah naturally opposed the agitation against the partition. He succeeded in preventing the bulk of the Muslims from joining the boycott movement.

Nawab Salimullah, however with a handful of lieutenants and workers was fighting an unequal battle against a formidable array of enemies and there were innumerable remote places where his message did not reach at all. To counteract the effect of his opposition the Hindu leaders were always at pains to enlist whatever support from misguided or self-seeking Muslims might be available and they succeeded in propping up artificially a few Muslims, mostly nincompoops, as 'great leaders' to serve their end. Ours was one of the localities where the message of Nawab Salimullah never reached in time. The students of our school, irrespective of creed were completely overpowered by the powerful speeches of leaders like Ambica Charan Majumdar and drawn into the movement heart and soul. Even the Muslim students were worked up to such a pitch that later on when the message of Nawab Salimullah reached them, they joined the Hindu students in ridiculing the Muslim opposition.

### **First Political Speech**

One day I was induced by one of my teachers to attend a public meeting at Panchooria which was addressed by the veteran leader Bepin Chandra Pal and his companion, Dr Abdul Gafoor. A resolution supporting the boycott movement had to be adopted. I was asked by my teacher Rajani Kanta Choudhury to support the resolution on behalf of the Muslim Community. I had never before stood up to address a public meeting and I was feeling extremely diffident. My teacher and several others went on encouraging me and when my name was called I rose up on my trembling legs. My heart sank within, but assuming an air of boldness, I shouted parrot like -- "I support the resolution on behalf of the Muslim Community." Nothing else came to my mind and I sat down forthwith in the midst of loud applause which only added to my embarrassment.

Most of the students of our school offered their services to the movement as volunteers. Occasionally we had to do some more serious job than merely shouting slogans at public meetings. We divided ourselves into batches and picketed foreign cloth shops and salt stalls. When the picketing did not have the desired effect, we did not hesitate to resort to violence. Bundles of Liverpool salt were snatched from unwary purchasers, scattered on the ground and trampled upon. One day we found a coolie carrying on his head a two-maund sack of Liverpool salt. The spectacle acted upon us like the red rag to the bull. We got infuriated, brought down the load to the ground, opened the sack, scattered the salt in the dust and trampled it under our feet. We hardly met with any opposition and got away with the idea that we were all-powerful. Law and order completely broke down for the time being.

### **Reprisals**

Rank rowdyism like this could not however continue for long. The movement was proving more successful than the Government suspected at first and acquired an unprecedented momentum. Drastic Governmental repressive measures inevitably came. In our locality a criminal case for rioting was started against a number of volunteers and Nasir was amongst those sent up by the police for trial. I do not know how I escaped being sent up. Nasir along with a few others was tried by a Magistrate at Rajbari. Two veteran lawyers of Faridpur, Purna Chandra Maitra and Nalini Kanta Sen defended the accused. They were convicted and Nasir was sentenced to pay a fine of Rupees thirty. The case had a sobering effect on the enthusiasts of the movement which however continued, though with less fury and fun.

The repressive steps taken by Government were of a comprehensive character. Special notice was taken of educational institutions and the student community. The students were taught a very good lesson in various ways. When the result of the Matriculation Examination, then called Entrance Examination, of 1906 was out, it was found that only 25% of the examinees came out successful, the lowest percentage of success in the history of the Calcutta University. The year 1906 was called by the students as "the year of massacre."

### **Entrance Examination, 1906; First Visit to Calcutta**

I was an examinee that year and belying the hopes of everybody I was placed in the third division and my two other fellow examinees Sarat Chandra Bhakta and Jogendra Nath Ghosh got plucked. It was no doubt a fact that the movement having overtaken the intending examinees at a time when they were in the thick of their studies was partly responsible for their failure, but apparently the main cause of the disastrous result was victimization.

I had to go to Calcutta to sit for the Matriculation (Entrance) Examination which was held in the month of March, 1906. This was my first visit to Calcutta, 150 miles from my village by train, though as the crow flies, the city was not more than 90 miles off to the

south-west. The city which was the ambition of every citizen to visit at least once in his life opened up to me the vision of a new world. Its vastness, the concourse of people and vehicles on its innumerable streets, its palatial buildings, its magnificent museum, unique Zoological and botanical gardens, its superb "*maidan*" (open field) its Monument and the fascinating Eden Garden were to me objects of great admiration and wonder. The political atmosphere of the city was British goods and the use of homemade substitutes. After my examinations were over, I visited the Minerva Theatre. I was dazzled by the scenes, the lights, the dresses, the charms of actors and actress, their acting's and songs, -- so much so that for about a fortnight after my return home, in my dreams and dozings the entire scene of the theatrical performance hovered before my vision. At length it became a menace and I had to make strenuous mental efforts to divert my mind to other things whenever the vision of the theater made its pleasant but unwelcome intrusion on my mind.

While in Calcutta for my examinations I put up at the Muslim Hostel attached to the Laik Jubilee Institute which was a High English School established by a rich Muslim hide merchant from Faridpur, named Choudhury Mohammad Laik at 29 Mirzapur Street, very close to the famous "College Square" and the university buildings.

### **The Barisal Conference**

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Though there can be no doubt of the fact that the underlying motive behind the Boycott movement was to rectify the supposed harm the partition was likely to cause to the Hindu Community, it must be said in fairness that amongst the Hindu leaders of the movement there were many who, as well as the bulk of the Hindu youth joining the movement, were actuated by pure feeling of patriotism. It was their sincere zeal and readiness for self sacrifice that were responsible for the phenomenal success that the movement attained. Subsequent history has proved that the boycott movement was not only a substantial link in the long chain of popular upheavals beginning with the struggle led by Syed Ahmed Belvi, popularly known as the 'Wahabi movement' and

culminating in the final struggle for independence that saw the end of British rule in this subcontinent, but was the real driving force behind the mass awakening which steadily grew into a gigantic countrywide upheaval that eventually shook off the shackles of imperial rule.

*The average Muslim is a bully and the average Hindu is a coward.*

-Gandhi

The immediate effect of the boycott movement was all the same gloomy. The widespread disorder that it created led the Government to take drastic action to suppress the movement. The repressive measures adopted did not kill but drove the movement underground, which very soon erupted in the shape of "terrorism". A large number of ghastly outrages were committed, such as the murder of Mr. Allen at Goalundo, the murder of Mrs. and Miss of Ashu Biswas and of Shamsul Alam, and the attempt to blow up the train of the Lieutenant Governor. Some of these outrages led to equally startling consequences, such as the suicide of Prafulla Chaki and the hanging of Khudiram Bose.

A side effect of the anti-partition movement was Hindu-Muslim tension which burst out into bloody Hindu-Muslim riots, such as the riots of 1906 and 1907 and the subsequent Calcutta riots of 1910.

Seen from a purely Hindu angle of vision, the terrorist movement had also a constructive side. Mr. Gandhi uttered a truth when he said years later that "the average Muslim is a bully and the average Hindu is a coward." This was demonstrated in the periodical Hindu-Muslim riots, which was a constant feature of the history of our country. The East Bengal Hindus, particularly the educated Hindu youth who were far more politically conscious than the Hindu youth of Western India, regarded this Hindu inferiority in prowess as a national disgrace and were determined for vindication. They started training centers for the Hindu youth in various places. Enthusiastic young men flocked to these centers and went through long courses of psychological, religious and physical exercises to equip them on the one hand to meet the Muslim 'bully' and on the other to kill the foreign enemy, and if necessary, also the enemy at home. This movement proved a unique success. The Hindu hooligan gradually became almost an equal of the Muslim hooligan, although generally speaking the correctness of Mr. Gandhi's observation about the average Muslim and 'the average Hindu' still held good. This movement was confined to the educated Hindu youth and had no effect on the Hindu masses. The "goondas" were recruited from the educated Hindu youth whereas the Muslim "goondas" consisted entirely of the riff-raff of the Muslim society.

#### **d. Childhood hobbies**

##### **Kites**

My earliest childhood hobby was kite flying. My initiation to this art was at the insistence of my aunt Khodeja. She took me, one summer afternoon to a man named Masim aged about 40, who lived in a neighboring hamlet about 1/3 of a mile to the south-west of our house. She requested him to prepare a kite for me. He obliged her by making one for me a very simple device, which however very successfully gave me my first thrills of flying a kite.

This reminds me of an extraordinary event in Masim's life about which I heard later on. He had such a serious attack of fever that he was taken for dead. A grave was dug for him and in accordance with Muslim practice some attendants began to give the body the necessary ceremonial bath before being clothed in shroud and placed into the grave. To the utter surprise of the people assembled, the hairs of the body stood up at the touch of water showing signs of life. He soon regained consciousness and ultimately recovered. All this had happened long before he had made a kite for me.

Kites used to be purchased for me also from the annual fairs. But this could not fulfill my demand for kites when I grew a little older, I began to make kites myself. Nasir had a very dexterous hand in making kites and we together produced dozens of them. The most favorite kite was the "Kaura kite", an oblong shaped structure black, two similar flags attached to its two horns and a fine, flattened ribbon shaped piece of cane attached string-like to a split bamboo bow fixed on the head of the kite. The cane fluttering in the wind produces a sweet humming sound as the kite flies. The "Kaura" was a powerful kite. I heard from my aunts and other neighbors that Jata Kahar of our village had once been dragged into the river by his big kite when the wind suddenly grew very strong, and he narrowly escaped being drowned. One such giant "Kaura" was made by another man named Entaz of our village. That kite excited our admiration and jealousy and Nasir succeeded in purchasing it from Entaz. Later on it came to my possession. I had to use very strong thick string to fly such a big structure. One monsoon morning Nasir and I had sent out the giant to the sky. The wind was already stronger than usual and we could hardly resist the pull of the kite by holding the string in our hands. I fixed a strong peg to the ground and tied the string to the peg. The wind was growing stronger and any sane lad would have brought down the kite to save it from destruction. But I was more curious to see what happens when the wind grows still stronger. The wind suddenly came in a furious gust, and the kite snapped its string and flew off towards the west. Quite a crowd had collected at the scene. We ran desperately in the direction taken by the kite and discovered it about a mile off, badly damaged and entangled in a jungle.

Amongst the other craft that we prepared, the serpent kite was the most spectacular and awe-inspiring. To me however the "Chila", literally 'kite' appeared to be the prettiest. I became quite an expert in making "Chilas". After sending my "Chila" to the sky in the open ground to the east of our house I often times date-palm branches to our inner courtyard to the evident amazement of my father and other members of our family.

### **Catching Fish**

My propensity to catch fish was almost as strong as that of flying kite. The main source of fish was the river just to the east of our house, which was a deep wide channel left by the great Padma when it receded to the east. In my infancy, I saw steam vessels plying in this river. Boat disasters were quite frequent. In the rainy season it was infested with man eating crocodiles. Every year during the flood season enormous quantities of silt were deposited and the river ultimately shrunk into a seasonal channel. In receding to the site which the Padma occupied while I was a child, it had left behind three other big parallel "beels", (channels) the Baliakum, the Ariel Beel and the Barra Beel all of which abounded in fish. Besides these there were two smaller swamps the "Burang" and the "Mati-ar-Kum" a few miles to the south-east of our house. To the west of our house at varying distances were the "Nimtala Beel" the "Khans' beel" and the great "Mashalia Beel." All these and many other smaller and temporary water channels were frequented by me in my fish-catching exploits.

I was accustomed to using various kinds of devices available to amateur fish- catchers, the rod and line, hand nets, traps, spears and the Palo', which is a sort of moving fish prison in water!

Amongst all these techniques, catching fish with the "Palo" was the most spectacular. The "Palo" is a simple split bamboo device knit together by split cane that looks like a fully opened yard in radius, gradually narrowing towards the top, which is about 6 inches in radius and is wide enough for inserting the arm through it to catch the fish when trapped. The height of the craft is about a yard.

The "Palo" is used for catching fish both individually and collectively. In individual fishing, one places the device in front of him in knee or waist-deep water, pressing it till it touches the ground and trapping any stray fish happening to be there. The entrapped fish creates a commotion within the enclosure beating violently against the wall of the Palo' and the catcher inserts his arm through the opening at the top and catches the fish after groping for it for a considerable while. The catch is perforated and threaded and tied round the waist of the catcher or put into a floating earthen pot with a narrow mouth, which is tied to his waist. Abortive attempts far outnumber the successful ones; the proportion of which depends on the abundance of fish in the water concerned, and the ability of the catcher.

Collective fishing with 'Palo' takes place on fixed days in the big channels, generally during the full moon or new-moon days or the last day of the Bengali month, during the 'Palo' fishing season from January to April, or on other days announced by the beating of the drums in the market place. On the appointed day thousands are seen winding their way towards the fishery concerned, with their 'Palos' on their shoulders or under their armpits, by different routes all around, forming long picturesque lines. The men gather together at the fishery, wear their clothes in the fashion of wrestlers and then jump in, covering the entire breadth of the channel, five, ten or twenty deep according to the number of people joining, and proceed forward with the happens to entrap a fish lays behind to catch it while the phalanx moves on. His first act on entrapping a fish is to press the 'Palo' deep into the mud with his hands if in shallow water or by standing on it if in deep water. Generally a neighboring comrade volunteers his help if the fish is a big one, pressing down the Palo and the person catching the fish inserts his fingers. into the jaws of the fish.

One day I witnessed a very disappointing incident which took place while capturing a big "rahu" fish. I had joined the fishing campaign that day with my father in the "Baliakum". An acquaintance of my father had entrapped the fish in deep water. My father caught the fish for him, but just when he had lifted it out of water and was going to hook it, the fish gave a jerk and slipped into the water leaving a trail of blood in my father's palm and fingers. Apparently the joint between the two jaws was severed which enabled the fish to escape. I felt very awkward because someone might have suspected jealousy and foul play in my father, which however was out of the question.

The army continues to push forward until the entire channel is covered, after which, time permitting, it invades another channel. Not that every one returns home with a large catch. Some make very poor show but many proudly carry home tremendous loads.

I had my most exciting personal experience in this respect one summer afternoon. I was then an advanced student in our High School which at that time used to sit in the morning. On return home at mid-day I heard that people were catching fish in the "Baliakum" with "Palos". I took a hurried meal and proceeded to the fishery with a few companions. When we reached the place the operations were converging to a close at the southern end of the as the whole affair was going to end in a few minutes. But my endeavors were very startlingly rewarded. The water there was less than knee deep. As luck would have it, I entrapped a "rahu" fish. The commotion created by the fish was tremendous. It was beating against the wall of my 'Palo' with such lightning speed and force that I found it extremely difficult to keep the 'Palo' steady. After the fish was a little exhausted, a man caught it for me. It was not a very big fish, but I returned home exceedingly proud amidst the admiration of my companions and the ecstasy of the entire family.



My father had very strong likes and dislikes, particularly in respect of his food. Amongst fishes he did not take eels because these creatures, as popularly believed, have the habit of entering into the entrails of dead cattle thrown into the water. He also did not take any fish angled with earthworm as bait, because it is considered loathsome. But in our part of the country for the kind of angling in vogue earthworm is the best and most easily available bait. One morning, while I was still a small urchin, at the approach of the rains when our river was fast swelling, I caught a moderate-size fish with rod and line using earthworm as bait. Fish was very rare at that time and the whole family was very happy to see the fish. My father was not at home at that time. My aunt Sabja was much concerned that my father won't partake of it. She asked me to tell father that I had used boiled rice as bait in catching the fish. There was a conflict between my love for truth and my filial affection in my little heart. I was angry within against my aunt for putting me into such a predicament but ultimately acted as advised with considerable chagrin. I felt very happy however when I saw father partake of the fish.

Another day in the evening when I was older I was angling, along with others using earthworm as bait as a matter of course. I was the only fortunate angler to catch a fairly large Boal fish. On this occasion there was no question of concealing from my father that I used earthworm as bait. I apprehended that my father won't take it. But to my great joy he partook of it without raising the question of the bait.

One day I was angling at the ghat near Nasir's house. Nasir had not joined me in catching fish on the occasion. As ill-luck would have it, I hooked a tortoise which had swallowed the hook. I found no other way of rescuing the hook than severing the throat of the animal. I brought a knife from the house of Nasir and completely severed the neck of the poor creature. I thought it was now quite safe to pull out the hook from its mouth. But lo! As I put two of my fingers into its mouth the sharp jaws closed with a considerable force causing a bleeding wound in my thumb. Probably this is the only instance in the world of a dead creature taking revenge on its cruel enemy! While I was writhing with pain Nasir came to the scene. To add to my misery, he mischievously said that tortoise bite was a very serious affair and if I cared to escape dire consequences I must not tell my parents about my predicament. I was seized with an eerie apprehension and dolefully returned home a little devil, painfully concealing my agony.

I must refrain from narrating other fish catching exploits which were so numerous that it would cover an entire book. Amongst the other modes of my catching fish, one was to spear them after a chase in a boat along their track indicated by shaking paddy plants in flooded paddy lands in the season and another was to catch predatory fishes by hanging the line into water with a small live fish attached to the hook as bait. The water- edge. The live bait fish swims hither and thither attracting predatory fishes which get hooked in trying to gulp the bait and create a hellish commotion in

attempting to get disentangled. The angler who at times detects the hooking from a distance runs helter-skelter to secure the victim before it escapes.

### **e. Childhood Game**

In a poor country like ours, indigenous games naturally assume a character and form entailing little or no expenditure of money. The games I indulged in my childhood with my comrades were of the same nature except cricket and football to which I was introduced when I was older. I played with my schoolmates as well as non-school going boys, who formed the overwhelming majority of the youth of our locality.

### **Marbles**

One of the earliest of my pastimes was to play marbles in which I became an expert. To the north of our house and on the west bank of the river there was the prosperous family of the Duttas. Their's was the only brick-built house in our part of the village. They were also the most advanced family and the boys and young men of that family were pioneers in western games newly introduced in our country. I became very friendly with them, particularly with Keshab who was my class mate, and with Jatin his younger brother. It was my association with them that made me an expert in marble play. I played the game mostly with my playmates belonging to the neighboring barber and other caste Hindu families almost at all hours of the day except while I was at school. In the morning I could prepare my lessons in about an did not however join in the game played at school by other boys. One day I felt inclined to join them and when I did everyone was surprised to see me hit my rivals' marbles from what my comrades thought to be an incredible distance!

### **Top Spinning**

I also mastered the art of playing with the top. I could not only hit and smash my rivals' tops with mine with rare marksmanship, but also learnt such tricks as to hurl my top spinning into the air and before it could drop to the ground take it dexterously on my palm where it spun for a considerable time before it spent its force.

### **Gollachut, Chee and Hadudu**

Games in which fast running and dodging skills were the deciding factors in establishing one's reputation were Golla chhut, Chee and Hadudu which is generally known as Kabadi in most parts of the subcontinent. I excelled in the first two, while Nasir was an expert in the last. In all these three games the players had to hold breath while running and to utter without break certain sonorous doggerel; a break in the breath meant that the player was 'dead'; which meant that he was out. Quoted below are a few examples of the doggerels used by us. There some were extremely vulgar and were used almost exclusively by cow-boys"

*Having killed my player  
say, you buried him where*

*Jackals and vultures find on him  
the stench I cannot bear.*

Or  
*My player is not dead,  
The Test of Time  
In the "bakhsha" bush is he living  
Three or four servants  
Are on him attending.  
(Bakhsha is a kind of long reedlike grass.)*

Or  
*Ami gulam oi  
Ki doi Khawali maoui Adha Kanch Kolo  
(This is almost meaningless.)*

Or  
*Ami gelam ube  
Dhak baje pube  
Dhaker Karmari Kular ba*

Or  
*Chhi karibo kee  
Ghantar age दौराचि  
Ghantar age  
baner bagh  
Feincha mari jhanke-jhank.*

In *Hadooou*, physical strength as well as skill play a great part. There is an equal number of players on each side under the command of a captain as in the other two games. The party that wins the toss attack first. Generally only one player attacks at a time. A small part of the play ground is allotted as the "homeland" of the attacker and the rest of the ground is initially occupied by the defenders. The Captain called *Gatch-Kharu* (tree-player) of the attacking side chooses the player who is to invade the opponent's territory. The attack is made by the selected player dashing into the defender's land chanting a doggerel of his own choice without breaking his breath, that is without any inhalation. He aims at touching one or more opponents while holding his breath and returning to his own without being successfully held or "captured". If he can do this, the opponents he may touch are out (dead'). He repeats the attack and if he or his successors succeed in eliminating all the opponents the attacking side wins the game. If on the other hand the attacker can be caught by one or more opponents and compelled to break the continuous chanting of his doggerel, he is 'killed' (out). In this way if all the attackers can be eliminated the defending side wins the game. The game is then repeated with the sides changing their respective position. Nasir, though looking frail,

was very strong in physique and he had a peculiar knack for over-powering an attacker by holding him by his arms.

In these games school students were generally more proficient than cow-boys. One day however our color was lowered by a cow-boy. We challenged a few cow-boys who were led by one Kasiruddin. Kasiruddin did not look strong. But when we began to play we found that none of the school students was a match for him. He was invincible in attack. All of us including Nasir and another Hindu boy, Kunja Chaki who was very good at this game, failed to overpower him. His arms and legs were as hard as iron poles and he also had lightening speed. In making a desperate attempt to hold him, I was thrown on the hard ground upon my knees. My knees, though perhaps some-what hardened by constant not withstand the impact and were badly bruised. One of my knees began to bleed and a festering wound developed which took about three months to heal, leaving a permanent scar mark which however was useful as an identification mark!

### **Tambarri**

I also used to play *Tam-barri* which has a very remote resemblance to cricket. The instruments of the game are a short stick about a foot and a half long and a small piece of wood or split bamboo about two inches long. There is one single player on each side. A small stick is fixed to the ground as a stump and one of the contenders chooses to defend it. He has to defend it with the stick in his hand. The attacker tries to hit the stump with the *Tam* by hurling it from a specified distance and the defender tries to hit back the *Tam* with his stick. If the *Tam* strikes the stump the defender is out. If on the other hand the *Tam* after being hurled at the stump deposits itself at a distance, the defender measures the distance with his stick, each stick length making a *marks* and adds the marks to his credit. Or if he can hit back the *Tam* to a distance, the distance is similarly measured for *marks*< and then the attacker has to hurl the *Tam* next time from that distance. I felt great interest in this simple but some-what risky game which was not however generally played by school boys amongst whom it was considered to be rather vulgar. There was another similar game named *Gul-barri* which had a resemblance to field hockey and was more risky. No school boys were allowed by their guardians to play this game and I too never took part in it.

### **Water Sports**

Amongst water sports I indulged in swimming races either on the surface or under water. There was another game of playing the crocodile which was very nerve-shaking. The player playing the crocodile dived at some distance from a line of boys standing in the water and swam unseen under water towards the line. If he could catch one by the legs while still under water there was an exciting struggle between the two and if the crocodile could drag down his victim's head under water he won or if he was compelled to raise his head from water for taking breath, he lost. But it was more a crude sort of hilarity than a regular game with hard and fast rules.

### **Cricket**

I took my first lessons in cricket by playing with bats improvised by carving small planks and with balls made by rag lengths twisted round and covered with a piece of cloth sown round it. Then bamboo branches cut to size served as stumps. I fell in love with this game and have maintained my partiality to it to this day, although I hardly played the game after I graduated except on one extra-ordinary occasion which may find mention later on. I was considered one of the best if not the best cricketer amongst the students of our school and in a friendly match played between our school team and another school team from Rajbari I was selected as a bowler. My batting reputation was however greater than that as a bowler.

### **Football**

I greatly liked football too, and was considered very good as a half back. Nasir was superb in football. He could play well in any position, but was particularly good as a back. His anticipation was marked with the greatest sagacity and his physical injury and did not play as often as his admirers would have liked.

### **Lathi Play**

The most manly of games, horse Polo, was unknown in our part of the country. There was however another manly game, Lathi play (playing with clubs and sticks) which was prevalent in our locality, but which, to my abiding regret, I never learnt. The game had a military touch in it and was rather discouraged by the authorities. It was hardly played by any student or by educated people. The game was mostly confined to illiterate villagers having a flair for adventure. It was played on certain ceremonial occasions and particularly during the Arabic month of Muharram. Sometimes the game gave rise to free fights between the contending parties. I may have occasion to revert to this subject when I come to describe some events of my life while I was a District Court lawyer at Faridpur.

### **Music**

From early childhood I felt a great attraction for music, both vocal and instrumental. I enjoyed music, but had not the aptitude of a performer. Nasir on the other hand could sing well and had he specialized in it he would have been a good musician. My father was very fond of Nasir and off and on in the evening if Nasir happened to be in our house my father requested him to sing and he readily complied.

My aunt Sabja had a sweet voice. Religious and social reasons would not permit a Muslim woman to indulge in music in those days. But *gazals* (religious and love hymns) and illiterate, she had learnt by heart certain passages from semi-religious poetic works, which I liked very much and at my request she recited it in her sweet sonorous voice on very many occasions. My mother and aunts used to tell me many old stories into which

I altogether lost myself. The stories were dotted with short intermittent songs which recited in a musical undertone were also fascinating to me.

#### **f. Puthi Reading**

From my father I acquired the habit of reading Puthis (Books in Bengali verse depicting generally Muslim exploits and sentiments and abounding in Arabic and Persian words). These were and still are very popular in the Muslim society and it has developed into an art. Expert readers of *Puthi* were very popular figures. During the darkest period of Muslim history in this sub-continent, i.e. the early British period, it was these *Puthies* which largely contributed to the preservation of Muslim culture in Bengal. My father had a good collection of *Puthies* which he read with a chanting voice during his leisure hours. He used to read those *Puthis* and sometimes narrated to me and to others stories from the same. I became almost an addict to these *Puthis*. The exploits and victories of Muslim heroes and the vivid description of strange lands and people as well as of colorful imaginary characters including genies and fairies completely captivated me. I became a fairly good reader of *puthies* and on visits to the houses of relations I had to oblige them by reading some *Puthi* or other far into the night on many occasions.

One evening when I should have been engaged in preparing my school lessons I was heard reading a *Puthi* by a Hindu acquaintance of my father, named Dinu Das who was passing by the pathway adjacent to our house. He had a very good opinion about me and was shocked to hear me read a *Puthi*, which he thought might be detrimental to my curricular studies and forthwith he had a short talk with my father on the subject. Since then my father discouraged my habit of reading *Puthies*. But since I had already become an addict, my *Puthi* reading activities were driven under-ground!

I think the reading of *Puthis* was beneficial to me in many respects. It made me acquainted with a large number of Arabic and Persian words, which stood me in good stead when I learnt those languages as well as Urdu. Further, it gave me a glimpse of Islamic history and traditions and some knowledge of our religion. *Puthi* reading, though perhaps less popular nowadays is still in vogue, particularly amongst peasants and the labor classes.

#### **g. Jatras, Dramas, Kavi and Jari**

##### **Dramas and Jatras**

Modern drama performances were few and far-between in those days. Besides short performances at school functions, I witnessed only one dramatic performance at the house of a Shaha Zemindar (land holder) at Kholabaria, about 2 miles from our house, on the occasion of a Hindu religious festival, the Durga Puja.

*Jatra* was more or less an indigenous version of the theatre. *Jatra* performances were quite frequent and used to be held on the occasion of Hindu religious festivals or marriages. There were both professional and amateur *Jatra* Parties. In such

performances no scenic arrangements were necessary. An earthen platform about a foot high, closed round with their fencing was used as the stage. The musicians with their instruments occupied a corner of the stage. The orchestra played, accompanied with tedious vocal music of a classical nature for a long time between two scenes. The actor emerged out of a green room at some distance and proceeded to the stage under the gaze of the entire audience which occupied specified places on all sides of the stage except that in which the green room lies. Class distinction was rigorously observed,-the most common place sitting attended such performances in large numbers these were, par-excellence, Hindu affairs being generally connected with Hindu religion and tradition.

After the Bengal Partition Agitation had commenced, the Jatra was used as a powerful instrument for political propaganda and Hindu revivalism. Almost all school students, Hindus and Muslims used to attend Jatra performances. Although I enjoyed these performances, their long durations were rather tiresome. Commencing in the evening the performances continued throughout the entire night till 8 or 9 a.m. next morning.

As time went in, some enlightened pioneers introduced a cosmopolitan note into these performances. One such pioneer was Mukunda Das of Barisal. He was also a good actor and generally played the part of a sage or a reformer. Here I am referring to an incident of a much later period, 1916 or 1917, when Mukunda Das was giving a performance at Faridpur. During his peroration from the stage he made an appeal to Muslims to regularly observe their prayers, as the result of which, my brother-in-law, Abdul Quader, then a school student, was inspired to observe this essential Muslim religious practice.

### **Kavi and Jari**

Kavi (poetry competition) is a type of recreation which is probably peculiar to Bengal. Unlike Drama or Jatra in which only one performing party produces the show, two rival parties are necessary in *Kavi* and *Jari*. Each party has a leader called *Sarkar* who is the central figure and by whose name the party is known, and a number of singers and instrumental musicians. The stage arrangement is exactly in line with the Jatra with the exception that no green room is necessary in Kavi or Jari. When one party performs, the other keeps quiet at a corner of the stage and becomes active only when the other party has finished an act. This goes on alternately and at the closing stage, generally next morning, the two Sarkars appear together alternately attacking and defending in impromptu verse. This is the most dramatic and the most attractive scene of the whole show and was the main cause of my attraction to such performances. The play commences by one of the parties taking the floor and its Sarkar posing himself as a hero or heroine in the Hindu pantheon of gods and goddesses or as a character in Hindu mythology or tradition and also assigns an appropriately opposite role to his opponent, the Sarkar of the rival party. He does this through extempore songs which he dictates line by line to his confederates who sing them in chorus in accompaniment of

appropriate dances and music. He also brings some charges against his opponent, which he has to substantiate from quotations from Hindu shastras or relevant books. When his opponent takes the floor, he accepts the role assigned to him by his rival and answers the charges in songs similarly composed extempore. The leaders sometime rise to great heights in making these compositions and particularly at the time of the poetic duel at the end.

Kavi had an irresistible fascination for me. The Sarkars, if really efficient, appeared to me like supermen and they simply captivated my heart by their extempore poetry. In our village such performances were held generally in the market place called Fultala Hat, a little more than a mile from our house. Unluckily such shows had a bad reputation and was shunned by polished society, as well as by men of religious disposition. This was due to the fact that on occasions, particularly during the last duel indecent and even obscene expressions were indulged in by some of the rabble mustering strong in such gatherings. The few instances of sharing expressions that I came across did not appear too vulgar to me. I regarded the poetic duels as aesthetic and intellectual treats of the highest order. My father however entirely disapproved of my visits to such performances and used to administer sharp reproofs. I was a singularly obedient son, but in this respect I was completely overpowered by my passion. One night there was to be such a performance at the market place. My father was at home and despairing of any possible opportunity to go to the show I went to bed after my evening meal. It was impossible to induce sleep. A little while later the characteristic beat of drums, the invariable accompaniment of such performances reached my ears. I could no longer contain myself. I slipped away from my bed and ran to the market to join the audience.

Although Hindu mythology provided the themes of these performances, on account of their inherent strength and capacity for providing entertainment they became popular with all classes of people irrespective of religious denomination. Sarkars arose from amongst all communities including Muslims and mostly from communities considered low in the scale of Hindu society. I mention here a few who belonged to our locality. Madan Napit was a barber. Gurucharan Ghosh was a milkman. Mahim Kolu, a Muslim, was an oil grocer. Ismail Mallick also a Muslim, was a weaver. I knew only one who was a caste Hindu, but I have forgotten his name now.

I heard of a unique personality who was a renowned Sarkar a few generations back. He was either an Englishman or an Anglo-Indian named Mr. Anthony. In those days Englishmen had not yet adopted their studied aloofness from Bengali life and society. Another had learnt the Bengali language and fell in love and the other was a beautiful Hindu girl, probably a widow whom he first saw bathing in a village pond. He married the girl, thenceforward lived like a Bengali and became a famous Sarkar. I refrain from quoting some of his poetic outbursts, still preserved in public memory on account of their vulgarism, though otherwise they are master-pieces of poetic repartee.



Jari was something like a Muslim version of the Kavi. The Jari leader was called *Ustad* or *Sardar* instead of *Sarkar*. The themes were taken from Muslim history or traditions. In Jari too, the songs were dictated by the leaders but I do not think they were extempore compositions as in Kavi. The most marked difference was that in Jari there was no face to face poetic contest, on account of which Jari was less attractive than Kavi. I did not have occasion to attend such performances except once or twice and I was bored by its monotony. Though references to certain well known incidents of Muslim history naturally touched my heart. In artistic quality Jari was but a shadow of the Kavi. Jari is still popular amongst Muslims in this province.

Puppet shows were also popular. There were two varieties, one exhibiting miniature dolls and the other life-size ones. I attended these shows on one or two occasions and thoroughly enjoyed the performance with miniature puppets on account of the satire and farce I saw in it.

#### **h. Hindu Pujas**

The Hindu Pujas (ritualistic idol worship) are quite numerous. There is a popular saying that "there are thirteen Pujas in twelve months." Amongst these the most important were the Durga Puja, the Kali Puja (also called Dewali), the Saraswati Puja and the Doljatra. Almost all the entertainments available to the people were associated with these Pujas. Fairs were annually held on the occasion of some of these Pujas, the most spectacular fair being held in connection with the Durga Puja. While I was young, Hindu-Muslim differences had not crystallized, and with some exceptions Muslims also attended the fairs and other jovial functions connected with Hindu religious festivals. The fair in the principal market place of our village used to be a very big and colorful show. The idol that is worshipped on the occasion is an elaborate and picturesque structure, a veritable pantheon depicting besides the principal beautiful goddess Parbati or Durga (wife of Shiva) many other gods, goddesses and demons in brilliant variegated colors dazzling the eyes of the on-lookers. The fair used to be held on the last day of the Puja, that is the immersion day, on which with spectacular ceremony and pomp the huge structure holding the various idols used to be consigned to the waters, which brought spontaneous tears to the eyes of women devotees. I had a great fascination for this fair and used to attend it in my best dress after extracting as much money as I could from my aunt Sabja to make odd purchases, toys, flutes, paper kites and sweets specially made for the occasion.

Saraswati Puja i.e. the worship of the goddess of learning, was almost universal among Hindus. The Puja was invariably observed by Hindu school students at the school premises. During our time good relations existed between Hindu and Muslim students. Muslim students did not participate in the religious rites of the occasion but took part in the attendant festivities in those days. When Hindu-Muslim relations deteriorated, the student community was also affected, and quarrels arose over the propriety of a Hindu Puja being held in schools attended also by Muslim students, to whom idol worship

was repugnant. The aggressiveness exhibited by Hindu students of certain schools in this regard was answered by Muslim students demanding to sacrifice cows and in a few instances Muslim students actually sacrificed cows on the occasion of the Iduzzoha in Muslim Hostels attached to such schools, leading very often to communal riots and consequent police intervention.

The two festive Hindu Pujas Doljatra and Holi, and Charrak Puja were held in spring time. The former is held in honor of Srikrishna and its principal feature is the color sport; during which colored water and sometimes foul water mixed with cow dung is sprinkled at passers-by. Muslims happening to be so treated became naturally infuriated and during days of Hindu-Muslim tension communal riots ensued out of these festivities. Many a time, I became the victim of such treatment at the hands of my Hindu fellow students who I knew did it in fun and not in spite and though I resented such awkward and vulgar practical joke, no untoward incident happened in this connection amongst students in our school.

The Charrak Puja meant for the worship of the Crocodile god was performed mainly by lower caste Hindus. Devotees joining the Puja, which was a prolonged process, were called Sanyasis who donned a peculiar crimson costume and some of the others wearing dress to match, were known as clowns throughout the Puja period. I very much enjoyed their clownish dances and gestures. Sometimes ardent devotees practiced almost inhuman mortification of the flesh on such occasions by allowing their persons to be pierced with thorns and iron hooks. The swinging of devotees subjected to such mortification around a stout pole called the "Charalak" tree was the climax of such functions. I felt a great revulsion for this inhuman practice.

The "Manasha Puja" or the worship of the Snake-god at the depth of the rainy season when the greatest toll of life is taken by snakes, was another puja which inspired in me nothing but a hair-raising awe. An offering of milk and banana is made to the deity who appears all night and partakes of the sumptuous feast.

### **Boat Races**

Boat races provided a thrilling entertainment to thousands of spectators. These were also held on the occasion of the Durga Puja in the river that passes by our house as well as the market place. I was a regular visitor to these races and I felt very happy that on most of these occasions I could go to these shows in our own boat with my father. The narrow boats race of enormous lengths, with two long rows of rowers on two sides, the foreman occupying the front-most seat in the boat, whom the rest of the rowers had to follow in wielding their respective paddles in accompaniment of exciting music, the standing helmsmen gravely wielding the rudder, and the captain occupying the hindmost seat with or without a paddle, commending the operations, were a sight available, used to take part in a round. The final round took place amongst the winners of the different batches, but on most occasions the final round was not held either for

want of time or out of fear of riots breaking out. When after a hard competition a boat was defeated, there was a likelihood of the defeated party creating a row on some plea or other. In anticipation of such outbreaks, many of the boats carried in their hulls lethal weapons of various types. I heard that such a riot was inevitable if the winning boat in a spirit of bravado or exhibitionism chose to crosscut the defeated boat at the front. I did not however actually see any winning boat committing an act of such indiscretion.

Having a small boat of our own and living on the bank of a river I also mastered the art of rowing and used to join minor and spontaneous boat races particularly amongst students and other youngsters. In such races my part was that of the captain of my boat occupying the hindmost position at the stern. I could row in tune with the rest of the crew and at the same time also play the helmsman, keeping the boat straight or guiding it as needed by a twist of my paddle during the split seconds it used to be in the water along with the paddles of the other rowers.

Though boat races were generally held on the occasion of Hindu festivals the participants were almost exclusively Muslims. Hindus, particularly caste Hindus, took no part in such strenuous and somewhat risky pastimes.

### **Cattle Races, Lathi-Play, and other merry making**

Bullock race was another exciting game. This was another Muslim pastime. Some low caste Hindu Cultivators also participated at times. It was a very tough game requiring great courage and skill and was extremely risky. Such races were unfortunately very few and far between in our locality. I was present only once at such a race at the famous fair of Nalia-Jamalpur about 20 miles away from our village when I was a boy of 13 or 14. I walked the whole distance along with a few other villagers including one Haran, who though already an adult at that time and quite illiterate, was an intimate friend to me. The race was held on a spacious ploughed up tract of land. There were a large number of contestants. Different styles of cattle race were in vogue in those days. In the one I saw on that occasion, a pair of cattle were yoked together and a ladder was slantingly attached to the yoke. Two men stood on each ladder holding the tails of the two bullocks. This made on unit of contestants made the start with the firing of a gun and raced towards the destination. The ladders jumped up and jolted over the hard clods of earth thrown up by ploughs and it was an extremely difficult feat for the men to keep hanging on to their ladders. Many fell off and got injured and ran the risk of being run over by the surging cattle and ladders that were following close behind.

Lathi play, i.e. playing with clubs and sticks was also a popular and a predominantly Muslim sport. Whenever such sports were held in our neighborhood I used to attend, very often with my father who told me about the reputation of the different players and also explained to me the various intricacies of the game.

### **i. Musical Riddle Contest**

I feel tempted to refer to a peculiar kind of merry-making which I think was rather rare and which I saw only once. One afternoon I was passing by the hamlet of the fishermen near our house when I saw a crowd at one of the houses. I went there and saw that a musical riddle contest was proceeding on the courtyard and there was an audience of 30 or 40 people. After my arrival at the spot towards the close of the show I had the good fortune of witnessing only two rounds of the contest and felt greatly amused and entertained. There were two contestants only. One took the floor in the middle of the courtyard and in a musical and rhythmic tone posed the following question:

*Mukhi Tele lele la, Mukhi tele lele la*

(A meaningless alliterative expression to keep up the rhythm).

*Banda bala dekhini*

(Oh devotee let me see if you can say)

*Batshar ante mukh firae*

(Turns his face once a year - What god is called he,)

He then retired inside a hut and his opponent took the floor, answering,:

*Mukhi tele lele la, Mukhi tele lele la*

(Oh devotes I am telling thee

Turns his face once a year

He (it) is called the date palm tree

the date palm tree.)

It requires to be mentioned that in our part of the country the fruits yielded by the date-palm tree is of the poorest quality and has no commercial value. But people tap the date tree for juice from which a high quality "gurr" (molasses, or rather a kind of crude sugar) is prepared. The tapping operations begin in October and continues till April. In one season a portion of one side of the tree near the top is tapped. The side that is tapped looks like the face of the tree. The opposite side is tapped in the following season and thus the tree may be said to turn or alternate its face annually.

The first contestant then returned to the field and questioningly sang out the following riddle:

*Mukhi tele lele la, mukhi tele lele la*

*banda bala dekhi ni*

(Oh devotee say if you can)

*Guru goshtthi nakh dei*

(Everyone in the family puts finger in)

*Tare bale kon devata ti*

(What god is called he?)

His rival came and replied.-  
*Mukhi tele lele la, mukhi tele lele la,*  
(Oh devotee I am telling thee) Guru goshtthi nakh dei  
(Everyone in the family puts finger in)  
*Tare bala chuner khuti ti, chuner khuti ti*  
(It is the "lime pot" you see, the lime pot you see.)

This refers to the practice of lime being kept in one small common pot in the family, out of which each member takes out a little lime every time he or she eats a betel leaf. I felt greatly entertained and was sorry that I was not present from the start. I was very fond of riddles and knew a large number of those in vogue, but not these two now quoted, nor was I acquainted with this spectacular mode of riddle contest.

## **j. Muslim Festivals**

### **Eid-ul-Fitr**

As against the plethora of Hindu festivals Muslim festivals were few and far between. Muslim festivals were generally of an austere character devoid of frivolous merry making. The greatest of these festivals is the Eid-ul-Fitr which follows the month of rigorous fasting and evokes the greatest enthusiasm amongst Muslim. Young and old are dressed in their best, the best assemble in open fields and mosques to offer the special prayers prescribed for the occasion. The devotees are arrayed in symmetrical rows, bowing and prostrating in unison, led by an Imam presiding over the ceremony. There is no distinction of race, nationality, color, birth, rank or wealth. All stand on an equal footing as brothers in the worship of the universal creator.

In our village there was no suitable large, open field for 'Eid' congregation and as such the function was held in the village mosque. Prayers over, the house owner Jhapu Khan who was the Mutwalli (proprietor) of the mosque used to give a special feast to the congregation and many devotees carried to the mosque homemade sweet dishes which were distributed amongst the congregation after the prayers were over. I used to attend these functions, dressed in my best in the company of my father. After the feast at the proprietor's house, several other persons invited the guests to their respective houses and custom as well as courtesy demanded that such invitations must be accepted. It is surprising how well the men could do justice to the food served in such quick succession!

### **Eid-ul-Azha**

The "Eid-ul-Azha", the festival of sacrifice is performed in commemoration of the supreme sacrifice of Hazrat Ibrahim (Prophet Ibrahim) and his son Ismail (peace be on them) and after the congregational prayers which are similar in character to the "Eid-ul-Fitr" prayers, all but the indigent are required to sacrifice a domestic animal, a sheep, a goat or a cow or a camel; a sheep or a goat according to ritual sufficing for one person

only and a cow or a camel for seven. Like all other Muslim follows the great pilgrimage to Mecca when devotees assemble in the birth place of Islam from all over the world to perform the Hajj. This festival is but a symbol of the Islamic concept of the complete self surrender of man to the cause of his Maker and its spirit is embodied in this unique verse of the Holy Quran. "Say, verily, my prayer and my sacrifice, my life and my death, are all for Allah, the Nourisher of the universe."

The sacrifice of cow, otherwise an innocent and exclusive religious rite with which only Muslims are concerned, has been a regular source of communal fury and bloodshed and a matter of the greatest social and political consequence in the subcontinent of India. Although there was a time when Hindus too not only performed cow-sacrifice festivals ("go-medh janja") but also indulged in beef-eating, they gradually converted themselves to worshippers of the cow. They, therefore, resented the killing of cows by their Muslim neighbors and almost invariably took up the offensive on such occasions. The Muslims, not a docile people, were not prepared to tolerate such nonsense and to forego not only their civic right of killing, whenever possible in secluded places, their own animals for purposes of meal, but also the religious duty of animal sacrifice on the occasion of the "Eid-ul-Azha". The substitution of sheep or goats for cows were not generally economically feasible as seven goats or sheep were required in substitution of one cow. The riots that ensued on such occasions generally in cities and towns were sometimes of the bloodiest character resulting in heavy loss of human life and damage to property. This intolerance was one of the principal causes that led to the Muslim demand for various constitutional safeguards and ultimately to the demand for carving out from India the independent Muslim State of Pakistan.

### **Muharram**

Muharram is a ceremony of mourning, commemorating the most poignant tragedy that was ever enacted on the face of the earth; the tragedy on the fields of Karbala in modern day of Iraq. The undoubted courage and heroism, the unflinching devotion and adherence to Truth and the readiness to give away the most precious earthly possessions including his own life and the lives of those nearest and dearest to him in the service of the Divine Cause, which Imam Hossain, the grandson of the holy Prophet Muhammad (peace be on him) exhibited on the burning sands of Karbala on the 10th day of Muharram in the year 72 of the Hijri era, is a glorious example of the human spirit winning its highest victory and is a perennial source of inspiration to a Muslim to win immortality by sacrificing his or her self at the throne of the Almighty.

The Shia and Sunni sects of Islam observe it in different ways, but common observance throughout the centuries have given rise to some common practices. As the tragedy happened in the course of a struggle of a military character, the Muharram rouses the latent military instincts of the people and Muslims resort to practices reminiscent of their military origin such as lathi-play sword-play etc. during the period of the festival covering the first ten days of the lunar (Arabic) month of Muharram. Religious minded

people observe fast, particularly on the last two days, offer special prayers and practice charity. As the Karbala tragedy resulted in the death of all male adult members of the martyr's family and only widows and a few orphans were the survivors, many people on this occasion are particularly charitable to orphans. The spectacular practice of Tazia processions and other attendant shows and activities are generally confined to the big cities. For no apparent cause these though otherwise Muharram was the only Muslim festival in which Hindus also took some interest and in some places they even participated in the lathi plays arranged on such occasions.

### **Shab-i-Barat**

The festival of Shab-i-barat, which is a precursor to the month long fast of the Ramzan takes place on the night of the fifteenth of the previous lunar month of Shaban. This is the night when a Muslim's fate is supposed to be determined for the following year. According to local custom special sweets are prepared on the occasion, which evokes great interest amongst youngsters. In most places in our country another practice of fireworks display on the occasion has grown up. This is an additional reason for the festival being popular amongst children. The devout of course generally congregate on the occasion in mosques and spend a part of the night in prayers. Another practice, particularly in some big cities is to illuminate and to visit the graves of relatives and ancestors and pray for the peace of their souls. On this night I used to go to our village mosque with my father and join in long prayers along with others. Prayers over, there was distribution of the sweet dishes prepared for the occasion.

### **Shab-i-Qadar**

The festival of Shab-i-Qadar or Lailatu Qadar, observed on the twenty-seventh night of the fasting month of Ramzan is exclusively devotional in nature and represents a Muslim's quest for a beatific spiritual state in which he may be rewarded with the rare vision of entire creation prostrating in submission before the Divine Being. The occasion, which can hardly be called any mundane merry-making. There are many who spend the whole night in deep contemplation and prayers. Lailatul Qadar is invested with an elusive charm. The vision may take shape in the cognition of seekers after Truth on any of the last three nights of the fasting month. During my childhood I used to visit our village mosque with my father on the night of the 27th Ramzan and offer prayers along with the rest of the gathering. But my immature mind knew little of the significance of the occasion.

### **Prophet's Birthday**

Another important occasion for Muslims is the anniversary of the birth as well as of the demise of our holy Prophet (peace be on him). According to some traditions and commonly accepted belief, the Holy Prophet was born on the twelfth day of the Hijri month of Rabi-ul-Awal and he also died on the same date. The occasion is therefore called "Id-e-Miladunnabi or Fateha-e-Doazdaham" according to the emphasis given to his birth or to his demise. The observance of this day is yearly growing in importance

and in many places, Karachi being one of them, public meetings to commemorate the occasion are daily held in different 'mahallas' throughout the month of Rabi-ul-Awal.

### **Maulad Sharif**

Recounting the life story and the teachings of the Holy Prophet is not however confined to the month of Rabi-ul-Awal. On the basis of the birthday celebrations of the Holy Prophet, a new institution, called "Maulud Sharif" ("The ceremony of the Exalted Birth") has grown up in Islamic society, particularly in the Indian subcontinent where Islam, innately austere, found itself in surroundings almost constantly resounding with the gaieties of Prophets life, and his teachings, over and above being narrated in prose, are also sung in melodious verses, thus providing a lighter vein to the generally grave and ascetic note of Islamic institutions. "Moulud Sharif" gatherings are of very frequent occurrence in Muslim villages and one special feature of this institution is that sweets and sometimes full meals are provided at the close of these functions. The village Mollah or Moulvi specially invited for the purpose presides over the function. In many cities there are specially trained professional "Miladkhans" (reciters of the Moulud Sharif). The real utility of such functions depends on the ability of the person presiding in dealing with the subject in a manner calculated to inspire the audience to follow the teachings of the prophet in their own lives.

Such functions were frequently held in our village and I was a regular attendant. In those days the "Moulud Sharif" functions, presided over by a well-known Moulvi, (a person educated in the Islamic lore) who was my namesake, were very popular. He had an angelic voice and his power of exposition was also of an extra-ordinary character. Though very young, I learnt many things from his addresses.

The charms of this Moulvi produced an interesting result in one particular instance. Ladies also sometimes attend such functions, but they sat behind a screen. A lady belonging to a respectable family who was a beautiful young widow and who had attended a few gathering addressed by this gentleman asked me to write a letter to him on her behalf as she was illiterate. I complied but not without hesitation because I had never written a letter before. The entire letter was dictated to me by her. I do not know whether she was able to send the letter to the Moulvi long afterwards that I realized that it was a love letter in which the lady, after describing how she was captivated by his charms, offered herself in marriage to the accomplished Moulvi. The Moulvi, unfortunately, left our village soon afterwards in pursuance of his own tour programme!

### **k. Marriages**

As in many other countries, marriages provided occasions of entertainment not only to the families concerned but also to the neighbors. This applied more to Hindu than to Muslim marriages. Well-to-do Hindus, on such occasions used to engage the services of professional Jatra parties, Kavi parties, singing and dancing girls and also arranged for



the exhibition of fireworks. Even the poorest Hindu would invariably engage the village orchestra. Muslim marriages, with rare exceptions, were devoid of these attractive features on account of religious scruples as well as poverty. But feasts were a common feature of all marriages, Hindu or Muslim.

Although the orchestra was almost exclusively engaged in Hindu marriage, it is a curious fact that the musicians were all Muslims. These Muslims were apparently converts from Hinduism and they still retained many Hindu rites, customs and ways of life. The drum was the chief instrument of the orchestra and on account of the predominance of its use on the occasion of marriages its common tune was invariably associated in peoples' minds with the ceremony of marriage and the tune was popularly interpreted as "Chhai-kapalir gabda bhatar," meaning "the ugly husband of the ashen-lucked or ill-lucked bride." We children, whenever we heard the drum beat used to chant the tune, -- "chhai kapalir gabda bhatar".

I have already referred to the Dutt family who were our neighbors. On the occasion of the marriage of one of the Dutta brothers, an elaborate fireworks exhibition was arranged. There was a huge crowd of spectators. A basketful of explosives accidentally caught fire causing a sudden conflagration and a large number of men were seriously burnt, out of whom several victims succumbed to their injuries. I and Nasir were then standing at some distance. It was winter time and people were more heavily dressed than in summer. The sight of the victims running helter skelter with their burning clothes on them excited Nasir to a spasmodic laughter which he could hardly control, while I was overpowered by a contrary sentiment of dismay and grief.

The first marriage ceremony I attended was that of my cousin Rahmat Ali who was Nasir's maternal uncle. I was then probably six or seven years old. It was the rainy season. Our river had already over flown its banks and the pathway to the east of our house had been converted into a canal. I had no previous information whatsoever concerning this marriage. One morning I was standing near our house on the bank of the pathway canal where two big boats containing the bridegroom's party came from the direction of Nasir's house and stopped at our ghat near the place where I was standing. My father was also in one of the boats which stopped at our ghat as my father had to attend to something at our house. He alighted, went straightaway to our house and returned almost immediately afterwards. At this time someone suggested that I should also be taken with the party and I was asked to get in. I had only my dhoti on and I boarded without being able to get my shirt from our house. All this while I had no other feeling in my mind than that of complete bewilderment. I cannot recall whether Nasir was in the party. recollection. The five or six miles journey appeared to me to be very long. The only thing I remember about what happened at the bride's house was that the bridegroom's party was accommodated in a fairly large hut. We sat on the floor on which cushions covered by a chadar had been spread. Some persons of our party mischievously inserted pieces of raw betel nut underneath the white chadar which got

stained red at those places. When people of the bride's house came and saw the stains that discolored the white sheet, they enquired about it, but the people responsible denied all knowledge. This appeared to me to be outrageous. I volunteered a statement in the course of which I disclosed everything. I was later on taken to task for exposing our own men and was given a lecture about the special ethics of such occasions!

During this period under review, upto my appearance at the Entrance Examination, certain happy events took place in our family. The eldest amongst my sisters was married to Abdul Alim of village Jaipur situated about 2 and half miles to the west of our house. I used to pay frequent visits to that house. During such visits very often after the night meal the younger brothers, sisters and cousins of my brother-in-law used to gather round me and I entertained them, at their request, by reading out to them in a chanting voice Bengali Puthies (Epics) far into the night.

The next sister Badrunnissa was married to Mohammad Qiamuddin of Char Panchoria, a village about 5 miles to the north-east of our house. The third sister Laekunnissa was married to Rahim, eldest son of Munshi Banu Mollah of village Nimtala about a mile and a half to the west our house. Banu Mollah's house lay on the way to the house of the eldest sister and very house of Badrunnissa I used to go to Panchuria by train and then walk a distance of about 2 miles to the east.

The year 1906 was a happy year for our family. This was the year in which I passed the Entrance Examination and a son was born to my sister Majirunnissa. He was named Nuruzzaman.

### **Development of My Personality**

For many years I was the only male child in our family and as such an overdose of affection, attention and indulgence naturally developed in me some traits of a spoilt child. I became wayward, could not accept chastisement in the proper spirit and was often arrogant and exacting. But by nature I was of a gentle disposition and not assertive except in the family circle.

A peculiar circumstance made me start my conscious life with a sense of self-diffidence which has been a stumbling block to my progress in life. My father, orphaned at an early age and dogged by penury and adversity, developed in his character an attitude of humility. Far from boasting of any possession or achievement even in cases where he could be justifiably proud, he used to belittle such things in conversation with his friends and acquaintances. I think it was due to this humility that he would belittle me too, during such conversations by referring to me as a "dullard". I felt small on all such occasions and continuous repetition of this epithet, by one who was so loving to me and on whom I had absolute reliance had a hypnotic effect on my mind and generated in me a conviction that I was really deficient in intellect. The consequence was lack of self-confidence. It also influenced and molded my entire behavior and impost which

became an inseparable part of my being. The reawakening of my than my fellow students in my studies. This revival received a positive impetus when I wrote my first essay in English along with the rest of my class. My essay was adjudged the best and when I told the teacher how I found out the definition of the subject he remarked, "that was very clever!" This compliment acted as a reinvigorating tonic in the long subconscious process of recovery of self-confidence.

The reason for thinking that my father was in the habit of belittling me on account of excess of humility, and not because he actually believed that I was worthless, is that he accepted with evident pride the compliments of his friends and acquaintances on account of my merit as a student and my reputation of being a well-behaved boy. He also took keen interest in my progress as a student and after every examination he used to enquire about the marks I obtained in every subject as compared with the marks obtained by the second boy of my class. He felt very happy that I did so well in my examinations.

### **Adherence to Truth**

Even since I began my conscious life, felt a natural inclination to the truth. How far this inclination was the result of my father's instructions it is impossible for me to say. Or how far, like physical traits, mental habits and tendencies are also inherited, or whether difference in such habits and tendencies has some other mysterious origin, are questions into which I refrain from entering for obvious reasons.

I have already mentioned the first instance of my instructive adherence to truth when I attended the marriage ceremony of my cousin at the age of six or seven. To my mind, moral traits such as honesty, faithfulness, reliability, fulfillment of promise and even the religious conviction of one ultimate Entity being the source of all that exists, emanate from the same origin. There is a world of significance in the Quranic teaching that God is Truth'.

Ever since I began my life, outside my home circle I enjoyed the reputation of being a most well-behaved child in all respects. Indeed I was good to a fault, and my aunt Sabja one day expressed her dismay that my behavior was not befitting that of a male child at least in one respect, namely that I never used any vulgar expression in my speech as was the habit of boys in general in those days! I was at that time about seven years old. Her remarks spurred me up to use one vulgar expression which I did for a year or so! My innate sense of decency then asserted itself and I gave up the practice. Apart from the approbation received from neighbors both Muslims and Hindus some Hindu women also in the course of conversation with the female members of our family gave me compliments for my good behavior, though the only occasions on which they could observe me were when I passed by, or compelled by necessity, crossed the compounds of their houses while going to and returning from school. My schoolmates taunted me for my strict behavior by calling me a "Sadhu" (Moralist)!

But I had a most regrettable lapse on one occasion. Outbreak of malaria in the autumn was a hardy annual. Doctors being very few, we depended on quinine and some other popular patented drugs for the cure of that fell disease. On one occasion myself and two of my close neighbors, Koda Nath Seal, a barber and Sita Nath Sarkar, father of my playmate Lalit, combined together to get a supply of the then famous anti-malarial patent drug called "Sarba-jwara-gaja Sinha" (Lion to the Elephant of fever of all Secretary of this small combine. When the VP packet was taken delivery of, I found that the price was written in such a way that the amount could be easily enhanced by about ten or twelve annas by making a slight alteration for which there was ample room. I was about fourteen years old at that time. The idea took entire possession of me and I executed it, as the result of which I made a dishonest profit of ten or twelve annas from my unsuspecting partners. Almost immediately after the commission of the crime remorse overtook me and tormented me terribly during long years. The bitter memory and repentance ultimately became intolerable and I made up my mind to make whatever amends were then possible. I was then well-established in life and was known throughout the country. I am thankful to the Divine Dispenser of all things that I could brush aside all considerations of prestige and go to the two old gentlemen to make a clean breast of the whole affair and ask for their pardon which they readily accorded. I am also happy that I was able to persuade each of them to accept one rupee from me in repayment of the debt. When I made my confession to Koda Nath he remarked, "Tamizuddin, you will be a great man!" Sita Nath Sarkar was also pleasantly astonished at my behavior. This moral lapse which I am now disclosing to the whole world was never mentioned to anyone else.

### **Courage**

I was timid-hearted by nature. Whatever courage I have given proof of on various occasions was nothing but calculated courage summoned by a sense of duty and propriety. My heart was prone to sink at the sight of a snake, a ferocious animal, a vicious dog or a bull, a violent madman or at the thought of ghosts. But luckily there was also in my heart a counter urge to overcome this timidity and this urge gradually acquired strength. As an that in my early youth unlike other boys, when the river adjacent to our house became violent at the time of a storm I used to board our little boat all alone, take it to the middle of the river and enjoyed with trepidation of heart the tossing of the boat by the high waves!

But one day this calculated courage too failed me altogether. I was then about twelve years old. I had gone in the afternoon all alone, to Fultala Hut to witness a boat race. I was there till the race ended at sunset and spent some more time there in conversation with school friends whom I found there. So it was pitch dark when I started back for home. It was the rainy season, and as such the shorter route by the side of the river being under water, I had to take the more round-about route via the railway line. I covered more than half the distance along the railway track and then had to turn east

and take the village path which lay through jungles intermingled here and there with houses. It had already begun to rain and the downpour was quite heavy. I groped all alone along the pitch dark jungle track which was infested with wild boars. I did not however encounter any. Ultimately I approached a desolate and deserted homestead site which was surrounded by dense jungle and which was believed to be haunted. The place was only about two hundred yards to the west of our house and was near the house of the "Chakies", amongst whom I had several friends. There my courage gave way. Protecting myself from the torrential rain as best as I could with my umbrella, I approached the deserted "bhita" (homestead site), came to its very edge but dared not proceed further. I went back near the house of the chakis, stood on the pathway for a while fondly hoping someone from the house would perchance detect my presence and come to my rescue. But as nothing like this happened I again approached the 'bhita', but again my courage failed and, this performance once or twice more and at length someone in the house detected me and came upto me with an umbrella on. He was Nanka Behari Chaki, elder brother of my playmate Kunja Behari Chaki. After exchange of a few questions and answers he reprimanded me and asked me why I did not go straight to their house and ask someone to accompany me to my house. I kept silent. The real answer to the question was my shyness and my reluctance to disclose my lack of courage. He accompanied me to my house, told my father the whole story and went back.

### **Wild boars, crocodiles and my friend Kajali**

This reminds me of two occasions when I did encounter wild boars. One evening I was returning home from some school function accompanied by my classmate Jogendra Chandra Ghosh along the same jungly pathway from the railway track to our village. We suddenly saw a big wild boar about thirty yards off from us. My friend forthwith ran away towards a neighboring house. I stood still to observe the behavior of the beast. It had apparently no aggressive intention, was perhaps itself embarrassed at the unexpected encounter and went its own way, after which I proceeded homewards and found my friend waiting for me near the neighboring house.

On another occasion, though not at the same place, I had a narrow escape from a wild sow. A boar hunting party was in search for boars and I had gone to watch the hunting. The party was active in a jungle near the house of the Rudras about half a mile to the south-west of our house. A small crowd of spectators had assembled. When I was at a somewhat isolated spot a white sow with three or four young ones suddenly emerged from the jungle with lightning speed and barking furiously was heading towards me. I made a quick sideways run and had a narrow escape because boars given chase particularly those with young ones are always in a dangerous mood.

Earlier, I had all but witnessed a pig-sticking exploit within the compound of our own house. To the adjacent south of our house was a bamboo jungle on the other side of which was the house of the Mitters. The hunting party was headed by my friend Haran,

who was a laborer, and was about fifteen years my senior. He had a flair for adventure. The net was set between our house and that of Mitters. Two spearsmen stood at the two ends and a west towards the east. As the crucial moment was approaching, I was taken away from the hazardous scene. Soon afterwards there was a great commotion and an uproar. I was thereafter allowed to go back to see that a boar had been entangled in the net and then speared and beaten to death. There were some 'Muchies' (Hindu cobblers) with the party, who took away the corpse. The flesh of swine is forbidden to Muslims; and Hindus too, except certain very low castes abhor it near our house. I used to go deep into this bush to ease myself. One morning when I had gone there with my brass water pot in hand I found a boar lying ahead. I stood still and the animal quickly made off to my great relief.

On one other occasion I had seen a boar in this bamboo bush near our house. I used to go deep into this bush to ease myself. One morning when I had gone there with my brass water port in hand I found a boar lying ahead. I stood still and the animal quickly made off to my great relief.

Haran used to tell me about a brave 'Shikari' (huntsmen) who used to spear wild boars single handed. Boars are said to be very responsive to challenges. When this 'Shikari' discovered the animal after nightfall, he would hold a spear in his hands and challenge it. The animal would make a dashing charge without taking notice of the spear, would get pierced through the breast, and disregarding this plight would still try to reach his enemy, with the spear sliding through the rest of its body. The greatest courage, presence of mind and skill are required to successfully face such potentially deadly encounters.

No human being was killed in our locality during my time. But my aunts used to tell me that a Hindu, whose name I now forget, was killed by a boar before I was born. His entrails were pierced open and he lived for quite a while and could speak after the fatal attack.

Wild boars are a menace to crops, particularly to sugarcane and root vegetables and as such people make every effort to eliminate them.

The river Padma is a home of crocodiles and so are its innumerable tributaries. During the early years of my childhood our river was also notorious for crocodiles, particularly during the flood season when people used to put up spacious bamboo cages in their ghats, inside which they used to bathe for fear of these ferocious reptiles. We had our own enclosure in our ghat, but in spite of the barrier, I never felt secure while bathing under such condition. People became particularly panicky when they heard rumors of a human being or a head of cattle being carried away by crocodiles. At times there was lack of vigilance, and most incidents happened during these carefree periods.

During my childhood there was such a tragedy in the neighboring 'ghat' of the fishermen. A young girl of that community named Kajali, whom I knew very well and who was then about twelve years old, had come to our house in the morning of the day of occurrence. On her return home she had gone to bathe in their 'ghat' at the usual hour along with other women and children. While they were bathing there was a great commotion in the water, the tail of a crocodile emerged out of the water and hit another woman on the forearm causing a severe injury. In the same instant Kajali disappeared. The crocodile came to the surface of the water at some distance with Kajali in the grip of its jaws. It dived again and reappeared in the same way further way off. It is said that crocodiles have the habit of showing their victims seven times like this. They come to the surface I suppose to take breath. I felt an excruciating heart pang when I heard of this tragic incident and for quite a long time it was the common talk of the village.

### **1. Snake-Bites and Treatments and Accidents**

Snakes were a more dreaded and more insidious menace to the villagers. In this low-lying deltaic region, homesteads are generally turned into isolated islands in the flood season and snakes from the over flooded fields and jungles take shelter near human habitations. That is why most snake-bite casualties occur during the rainy season.

During my childhood there were two snake-bite deaths in our immediate neighborhood. One victim was a Hindu school boy living in the house of the Dutts. After his evening meal he sat on his bedstead and while he was engaged in conversation with other boys in the room and was swinging his right hand just below the edge of the bedstead, he was bitten on a finger by a cobra. Death was almost instantaneous. The other victim was a Muslim cultivator living in a house to the east of the river across our house. He was bitten by a slow-poisoning snake and died after suffering excruciating pain for five or six days. There was no treatment for snake-bite except what dubious assistance was available from a special class of quacks called "Ojhas" who are believed to be experts in curing snake-bites. Fantastic stories are in vogue about extraordinary cures effected by "Ojhas". But I never saw any such claim substantiated. They are either cheats or self-deluded maniacs. But there being no other effective treatment available affected people have no other alternative than to seek help from 'ojhas'. There are however, certain precautionary measures and processes of indigenous treatment, which if resorted to quickly, may save the snake-bitten victim. The first thing to do is to put one or more ligatures at appropriate places to prevent the poison from circulating with the blood. Then, one of the recognized effective processes is to the birds and make the pierced spot or the rectum of the chicken come into contact with the snake-bite injury. The chicken will die immediately one by one, and when they die no more all the poison is expected to have been absorbed by the chicken and the patient is placed on a footing of safety. I have not been able to personally verify the effectiveness of this method, but from what I have heard I believe it to be efficacious.

On one occasion I had gone to the other side of our river along with my barber playmate the junior Ghetu, who was extremely timid and something of a half-wit, to catch fish with my jerk net. I had placed my net according to the usual practice at the edge of the water and was sitting at a distance of about fifteen yards holding the end of the rope, which was tied to the bamboo framing of the net. Ghetu was sitting beside me. I saw a rather biggish fish gliding into the net and I gave a strong jerking pull to the rope. To our dismay, instead of a fish a snake was lifted into the air, glided over our heads and dropped to the ground about five or six yards away from us. Ghetu ran for his life, crossed over to the other side of the river which was then crossable and ran away to his house. The poor snake, had apparently been paralyzed by the impact of the fall and lay motionless. I killed it with a stick. It was a more or less harmless non-venomous water snake.

I had however a somewhat narrow escape from a cobra on another occasion. I had gone to catch fish with rod and line along with a few friends to a village called Nimtala about three quarters of a mile from us. While we were returning home at dusk, our path lay through paddy fields. It was the rainy season. I was ahead of others and while we were carefully winding our way along the narrow dividing lines between plots of paddy land, I had all time. The enraged cobra raised and expanded its hood, and giving a panicky cry I ran away sideways and my other companions too ran every which way! When we were together again, we all agreed that it was a narrow escape indeed for the party.

During my childhood I was involved in several accidents. The earliest of them occurred when I had climbed a small tree at a corner of the inner courtyard of our house to pluck cucumber. The cucumber creeper had been allowed to spread over the tree. While climbing I caught hold of a very thin branch which snapped and I was thrown on the ground on my back. I was about seven years old at the time. Although I was fully conscious, my breathing stopped and I was in extreme pain. My mother and my aunts raised a hue and cry and began to apply oil and water to my head. I was almost dying when all of a sudden I resumed breathing with a terrific jerk.

Another accident occurred when I had gone with Nasir and another friend, Abdul Karim Khan, son of Zhapu Khan, Nasir's neighbor, to Panchuria about five miles from our house, to see Railway engines. The Rajbari-Faridpur railway line was then under construction. We heard that construction had been completed upto Panchuria and that engines and wagons were coming from Rajbari to Panchuria. We were lucky enough to see an engine and a few wagons. While after nightfall, we were proceeding back homewards we found pleasure in walking with jumps over the slippers just laid on the newly constructed railroad from Panchuria towards Khankhanapur, our village. As it was dark, in stepping from one slipper to another I missed a step and fell hand long along the line, the upper portion of my nose striking against the sharp edge of a slipper. I think I was senseless for a while. My companions raised me up and for some time I



could see There was extreme pain in the head in the region of the nose and I was almost sure that there was a serious fracture. After resting me for a while, my companions bandaged my head with my chadar almost covering my eyes, and with great difficulty almost dragged me to my home. I had not taken leave of my father before I had gone and we were all afraid of encountering him. My companions quietly left me near my sleeping hut. I went in unnoticed and seeing my bed ready on the mud-floor I forthwith lay down covering myself from head to foot with my rag quilt. Though the pain was almost unbearable I was more afraid of my father's wrath than I cared for the pain I was suffering from. My mother asked me to take my night meal, but I said from underneath the quilt that I had no appetite. I lay down writhing in pain for quite a while and thought my father had gone to sleep. Unable to bear the pain in silence any longer I disclosed my plight to my aunts saying "my nose is gone." My aunt Sabja forthwith raised a hue and cry which awakened my father. The cup of my misery was now full! My father began to reprimand me in strong terms. I am grateful for the sagacity of my aunts and mother in their efforts to give me relief from the excruciating pain. They forthwith made poultices of sand, baked hot and began to apply the same to the affected area. This had a wonderful effect and in about an hour's time the pain subsided. I was thereafter persuaded to have my meal which I took lying down in morsels inserted into my mouth. by my mother. Luckily there was no fracture. There was a skin deep injury which healed in a few days leaving only a permanent, but almost invisible scarmark.

A third accident happened when I had climbed a fairly tall date tree which had been tapped to collect juice the previous evening. After climbing to the top, I held with one hand the stem of a dried up branch and tried with the other to disentangle the juice pot from the tree, when the stem gave way and within a few headlong on the ground in which case the fall might have been fatal, but I had clasped my arms around the tree and I slipped down the trunk while still keeping my hold to the tree, with the result that my chest and belly were badly lacerated with long longitudinal bleeding injuries.

There was another incident which was near accident. I had gone on a boat excursion in the rainy season with Nasir, Keshab, Lalit and one or two other friends. Our destination was the river Padma which was then about three miles to the east of our house, and we had also an intention of purchasing 'hilsa' fish from fishermen in the river. We purchased no fish as none were available and after a random rowing excursion we thought of returning home as it was dark. Our boat was very small and not equipped for plying in the turbulent Padma. So we studiedly kept our boat at a safe distance from the current of the river. The river had over flown its banks and it was somewhat difficult to distinguish between the river proper and the over flown banks. It soon became dark and Keshab raised an alarm that our boat had been caught by the current of the river. I was the principal rower as well as the helmsman. I too became alarmed. Some of my companions said that we were not going in the right direction. Others said that we were heading towards the mainstream of the dreaded river. But I was confident

that we were going in the right direction towards our village as I knew some of the constellations indicating directions such as Orion and the Great Bear in relation to the Pole star. In spite of the protests of some of my friends I kept my head cool and took the boat to safety.

### **My Utopia**

Although I consider myself as a practical man and a man of action, any account of my character would be incomplete unless at least a passing reference is made to the fact that right from my early boyhood I have allowed myself to spend long periods of valuable time in building castles in the air. Whether this has been due to an inner urge of my ego to seek escape from the frustrations of my life, only a proper psycho-analysis could discover, but it is a fact that such day dreams, despite what futile satisfaction these may have given my ego, proved an eventual hindrance to my progress. It was during the best part of life, and even now is, though with less frequent recurrence, a morbid mental ailment to me. I have paid a heavy penalty for it not only in loss of time, but also in considerable emasculation of my mind as the long hours of intense concentration on airy nothing, from which I found it most difficult to extricate myself, took a heavy toll on my vital energy. It also must have robbed me of a good deal of my zest for action since the workaday world loomed so drab and un-inviting vis-a-vis the glamorous world of my fancy. There was perhaps one redeeming feature in this childish game. In creating the world of my dream I adhered tenaciously to my ideal of service -- service to my kith and kin, to the poor, to my country and to mankind in general, which all combined is regarded according to the Islamic conception as service to God, if rendered in the proper spirit. What was wrong about it was that I prepared a most fantastic and elaborate minute scheme complete with circumstantial details, culminating in the establishment of a new world order, and also worked out in my imagination not only the processes but also the very events ultimately leading to the envisaged goal, the trickery of the Ego making myself the central figure in this imaginary drama. I have too often transported myself to this Eldorado and too often the cost of my mental and physical health. This day dream proved to be a serious menace to my studies.

### **m. The Social and Economic Picture**

There has been a good deal of speculation about the causes of concentration of such a large number of Muslims in the tract of land known as Bengal. With the probable exception of the island of Java in Indonesia, it is the largest single Muslim block in the world. Non-Muslims, both indigenous and foreign, generally believed that the vast majority of this mass of humanity consists of converts to Islam mainly out of low caste Hindus. That there were large-scale conversions is undoubted. Not only in the Indian sub-continent, but throughout the world wherever there are Muslim converts their history can be traced to the fact that they found in Islam, a religion of universal brotherhood and equality, recognizing no distinction of class or color, an asylum from the social tyranny of those times and were captivated by the simple mono-theistic creed

of the new religion. In India an additional reason was the tyranny of the caste system and of the cult and curse of untouchability. With regard to large sections of downtrodden humanity finding shelter in Islam, Vivekananda, the great Hindu writer said, "Even to the Muhammadan rule we owe that great blessing, the destruction of exclusive privilege—The Muhammadan conquest of India came as a salvation to the downtrodden, to the poor. That is why one-fifth of our people have become Muhammadans." But immediate conversion does not seem to be a full explanation for the preponderance of Muslims in Bengal, where the caste system was far less rigorous than in South India which saw no large scale conversion. There is reason to believe that in Bengal an additional cause for such a large concentration of Muslims was the fact that millions of Muslim disintegrated Moghul Empire and of the innumerable provincial satraps and chieftains settled in the fertile soil of Bengal and most of them took to the cultivation of the land. This process had been going on during the long centuries of Muslim rule in India and soldiers retiring or released from the armies as well as innumerable other Muslim families from the west were attracted to this part of the country where nature's bounties were showered on a much more generous measure than elsewhere. Convincing internal evidence of this theory is supplied by the characteristic difference between the general run of Muslims and Hindus of Bengal in certain social behaviors and particularly in language. Certain most homely words used by Muslims in general are of Arabic and Persian origin and while these are not in use amongst Hindus. They are in vogue amongst most Muslims throughout India. It is unlikely that these homely words could come into common use amongst illiterate Muslims converted from Hindus who never used these words. The theory receives further support from the fact that amongst the Muslims of Bengal there are certain classes such as "Dhuties" (a class of instrumental musicians), "Dais" (a class of people whose men folk used to carry messages of child-births and whose womenfolk were quack midwives and used to sever the umbilical cords of new born babies) etc who are known converts from Hinduism and who, unlike other Muslims, use homely words common amongst Hindus.

It has already been stated how the deliberate policy of British Government in unholy alliance with Hindu hostility, brought about the economic ruin of the Muslims. Almost all avenues of worldly advancement including employment under Government had been monopolized by Britishers and Hindus. The bulk of the Muslims had been reduced to cultivators with small uneconomic holdings and they were subjected to most humiliating non-Muslims dominating the social scene. Almost all cultivators, and also, the few Muslims who were in a better position in the social hierarchy, were indebted to Hindu money lenders who imposed most exorbitant rates of interest, and in most cases, it was compound interest. The Namasudras and certain other low caste Hindus who were cultivators also stood in the same unenviable position as Muslim cultivators. My father also, in certain years, could not balance his family budget and had to borrow money on bonds. Money lenders in our locality were mostly Kundus and Sahas who were also traders. My father's creditors were "Kundus." My father, however, was very

particular about regular repayment and he generally repaid his debts in the jute season. out of the sale proceeds of jute which was our main money crop. We also produced small quantities of mustard seeds, sesame, linseeds, coriander seeds, onions, garlic, turmeric, bananas etc which also brought in some little money.

As regards trade and commerce the high caste Hindus in general had not yet taken to trade and commerce and they still looked down upon the lower caste Hindus engaged in the same. In the wake of the Swadeshi movement the high caste Hindus discarded this mentality, but curiously enough the Muslims who in imitation of High Caste Hindus had acquired an attitude of mind averse to trade and commerce still clung to that deplorable mentality. It was much later that the Muslims woke up and made same efforts to take to trade and commerce. Most of them however were easily elbowed out by those who were already active in the field.

#### **n. Hindu-Muslim Relations**

Hinduism arose amongst the Aryan invaders and conquerors of India and was in the course of time accepted by the conquered Dravidians and innumerable aboriginal sects. The Aryan genius, amply supplemented later on by Dravidian talent, built up wonderful systems of philosophy, science, art and architecture. But along with these glorious achievements there was a contrary pull towards degradation provided mainly by two factors. One was the geographical situation largely isolating India from the rest of the world although much later on when there was the growth of an appreciable sea-power, Indian presence expanded south-ward and south-east-wards, particularly in Indonesia, Ceylon (present day Sri Lanka) and certain other Indian Ocean islands. The other was the self-aggrandizing spirit of the ruling classes which gradually petrified and fossilized the caste-system, which at first seems to have originated purely as a division of labor amongst the people of the land, but was later transformed into a most inhuman and tyrannical cult.

India's chequered history shows that except during certain comparatively brief periods, there was no political unity amongst Indians as a whole and the entire record is interspersed with innumerable internecine jealousy, hatred and bloody warfare. India thus weakened, fell an easy victim to the various foreign invasions through the Khyber and Bolan Passes and this coupled with other factors, created in Indians a chronic hatred of the foreigner. The last invaders before the British were the Muslims and as such Hindu hatred became particularly concentrated against them.

In this connection it will be interesting to see what one world renowned Muslim scholar and Traveler, Alberuni has said about this aspect of the Hindu character. Alberuni was a contemporary of Sultan Mahmud of Ghazni, who began his invasion Sanskrit and studied the religion, philosophy, science, arts, laws and customs of the country. He was already well-versed in Greek literature and philosophy. He writes, "The Hindus believe that there is no country like theirs, no nation like theirs, no religion like theirs, no

science like theirs. They are haughty, foolishly vain, self-conceited and stolid. They are by nature niggardly in communicating that which they know and they take the greatest possible care to withhold it from men of another caste among their own people, still much more of course from any foreigner." He further writes, "There is very little disputing about theological topics among themselves; at the utmost they fight with words, but they will never stake their soul or body, or their property on religious controversy. On the contrary, all their fanaticism is directed against those who do not belong to them; against all foreigners. They call them 'Mlechha' i.e. impure and forbid having any connection with them'.

The entire passage is taken from "*The Autobiography of an unknown Indian*"<sup>1</sup> by the well known Hindu scholar and historian Nirad Chaudhuri. He seems to be in full agreement with Alberuni's characterization of the Indian people. Pandit Jawaharlal Nehru in his "Discovery of India" also quotes a portion of Alberuni's above description and says that it is "probably a correct enough description of the temper of the people."

Alberuni ascribes the Hindu hostility to the people of the Middle-East to the rivalry between Buddhism and Zoroastrianism and says that the advent of Islam intensified this hostility. There cannot be any doubt about the fact that the conquests of Ibne Qasem and the invasions of Sultan Mahmood added fuel to the fire of this Hindu hatred for the Muslims.

According to Mr. Nirad Chaudhuri, this hatred of the foreigner, particularly the Muslim, has in the course of centuries become an inseparable part of the Hindu being. This was the mainspring out of which Hindu nationalism originated and influenced the entire course of subsequent Indian history. He further says, "The Muslim rulers of India, so long as they remained strong themselves, had no Hindu rebellion to fear; on the other hand they could reckon on being able to enlist any number of Hindu helpers, provided they were ready to offer a commensurate material reward – " "Throughout the period of the Muslim rule, Hindu society as a whole and more specially Hindu lawgivers went on tightening the rules against inter-marriage and commensality. New rules were introduced to control fraternization with the foreigner and the cultivation of his manners – " Mr. Choudhury says that the illustrious Tagore family that produced a genius like Rabindra Nath Tagore was amongst those victimized for transgression of some of these rules.

Mr. Chaudhuri goes on, "In the sphere of emotion and ideas, no Hindu was expected to give the allegiance of his heart to the Muslim, and no Hindu did. The more thorough going his external and internal servility, the more complete was also his emotional disaffection. The Muslim ruler could count on the loyalty of his Hindu servants and vassal princes as a class only as long as he had power and could reward and punish

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<sup>1</sup> By Nirad C. Chaudhuri

them; the moment he lost his power he also lost the loyalty. The Hindu clung desperately to his disloyalty, because he looked upon it as his inspiration for the service he was giving to the foreign conqueror against what he called his convictions. On this disaffection rested his hope of heaven as on the service of the Muslim depended his worldly advancement. Therefore, the initial hatred noted by Alberuni, with which the Hindu began his life of political subjection, went on swelling in volume during the whole period of external expression. The passivity which the Hindu mode of life and the Hindu outlook generate makes the Hindu more or less independent of action in his emotional satisfactions. On the other hand, being incapable of action, he considers it all the more his duty to nurse his hatred in secret and take care of it as a priceless heirloom from his free ancestors."

"Thus Hindu nationalism during Muslim rule flourished on a plane where neither the military nor the political power of the conqueror could attack it. On its part this nationalism saw no necessity to go out of its way to challenge the foreigners' power when it was at its strongest and while it remained strong – "end of the 17th century and beginning of the 18th, Hindu nationalism rose in a flood to the political plane – "The Hindu exultantly stamped on the head of the exhausted enemy."

"By the end of the 18th century Muslim political power had vanished. Then a new problem arose -- whom could the Hindus hate now?"

For this reason a spiritual crisis threatened the Hindus at the end of the Muslim rule, but it was averted by the establishment of British power. Almost instantaneously the hatred formerly felt for the Muslim was transferred to the English, as today with disappearance of British rule the undying hatred has again fastened itself on the Muslim – ."

In support of the above analysis of the Hindu national character, Mr. Nirad Chaudhuri in his autobiography quotes the following passage from the Introduction to the English translation of 'Siyar-ul-Mutakh-khirin', a historical work in Persian by Ghulam Hossain Khan Tabatabai. The original work was completed in 1781. The translation which was completed in 1786 was by a Creole named Raymend who became a convert to Islam and assumed the name of Hajee Mustafa.

"The reader accustomed to read accounts of India these twenty or thirty years past will possibly wonder at my warning him against the disaffection of a nation which by all accounts seems to be the tamest, and most pusillanimous set of men on the face of the earth, and the most incapable of any man by action. The Indians have been a more dangerous nation than they seem to be now. They may be in a slumber, but they may awake, and they deserve to have a more watchful eye than the English Government seems to think."

Though the foregoing quotations give a picture of the Hindu society with regard to only one side of the Hindu character and do not deal with its impressive credit side, they are relevant for my present purpose of giving a brief account of the relations existing between Muslims and Hindus during the critical period of the history of our country, synchronizing with my early youth.

The teachings of the higher Hindu religion and philosophy concerning human relation are as liberal as those of any other religion. But Hinduism as practiced, is a vast conglomeration of and tenets often contradictory to one another, ranging from pure mono-theism to atheism, idolatry, image-worship, polytheism, pantheism, nature-worship and so on and so forth. It also includes various practices and taboos. That is why it is difficult to define Hinduism. Modern Hindu revivalists of India represented by organizations like the "Hindu Mahasava" have described Hinduism as comprehending all religions of Indian origin, thus excluding from its purview Islam, Christianity and Judaism, three of the great religions of the world. The comprehensiveness of Hinduism has an advantage. This enabled Hinduism to gradually absorb within its fold hordes of foreign invaders from abroad in different periods of India's long history and maintain some sort of Indian unity in the midst of a chaotic diversity of race, language and color. But when in the cycle of time Hinduism came face to face with alien faiths, it saw a danger of being itself engulfed by them and as a measure of passive self-protection developed around itself the shell of exclusiveness, hatred, boycott and untouchability against the foreigner. But for this artificial and synthetically prepared armor, Hinduism, internally torn by self-contradictory doctrines on the one hand, and the elaborate network of caste barrier on the other could have hardly survived the spiritual and moral onslaught of these alien religions, particularly Islam. Even this armor did not completely succeed and countless millions of oppressed humanity broke open the shell and ran away to the protection of cosmopolitan Islam. These conversions would have been on a much larger scale notwithstanding the protective measures resorted to by Hinduism but for the fact that the Islamic society by virtue of its contact with Hindu society and other causes became itself corrupt in many respects in the course of time. Islam in India presented a picture which reflected very little of the effulgence of the high principles and teachings of Islam.

These conversions were naturally an eyesore to the Hindu Community and considerably intensified the already existing Hindu bitterness against the Muslim intruder.

The relations that existed between Hindus and Muslims during the period of my childhood and early youth have to be studied in relation to the background described above.

Socially, Muslims were in most respects untouchable to the Hindus. Intermarriage and inter-dining were unthinkable. Social intercourse of other kinds were also very rare. A Muslim was not allowed access to the inner compounds of a Hindu house. If a Muslim happened to touch the food, particularly cooked food of a Hindu, the entire stuff was considered ceremonially polluted and had to be thrown away! If a Muslim somehow happened to enter the cookshed of a Hindu, even if he did not touch the food or the utensils, all cooked food stored in the house along with the earthen cooking pots were considered polluted and had to be thrown away! Hindu landlords meted out humiliating treatment to their Muslim tenants. Muslim tenants, most of whom were cultivators, while visiting the landlord's offices were to squat on gunny cloths spread on the floor or planks or 'piris' (low stools not higher than an inch or two) placed on the floor while Hindu tenants of similar status were allowed to sit on the raised 'farsh' (knee-high platforms covered with 'satranj' (a cloth mat) and sheets) on which the officers of the landlords also used to be seated. Muslims were not allowed to smoke from the same hookas as the Hindus and had to smoke from inferior hooka meant for them or from the 'chillims' (cone-shaped earthen containers of tobacco prepared for smoking placed on the perpendicular cylinder of the hooka) with the help of their fingers and folded palms. If a Muslim ever ate at the house of a Hindu he had to do so in utter segregation, and after the meal he was expected to cleanse the do so! Muslims visiting functions of amusement at Hindu houses had to squat on inferior bamboo mats whereas Hindu spectators were given superior seats. The segregation of the two communities was so pronounced that they felt at the heart of their hearts that they were two distinct peoples inspite of fraternization in certain fields of activity. Naturally this created a bitter resentment in the Muslim mind against the Hindu although generally speaking this resentment found little outward expression except on occasions when on account of sparks provided by otherwise insignificant incidents, the shouldering embers within burst out into conflagrations in the shape of bloody communal riots.

This was a tragedy of the highest magnitude not only for India and its peoples but also for humanity at large. Like the barbarous institution of color bar still clung to with vengeance by so many of the race-conscious and petty-minded white peoples of the West, the Hindu version of the same disease in the shape of caste barrier and untouchability, along with a new cult of world domination based on class hatred and ruthless suppression of the freedom of the human spirit, stand as steel born insurmountable rocks in the way of the unification of the entire human species. Human beings, inspite of certain superficial distinctions are essentially one and the same, and were designed to live in one world community on the bed-rock of human equality, universal brotherhood and freedom of thought and expression within the obvious limits dictated by reason in the interest of universal weal. But however adamant and ineradicable these senseless taboos may appear to be, mankind may draw comfort from the obvious indications that these barriers are gradually giving way to the irresistible impact of the general human urge towards the ultimate goal of unity. Unless the peoples, who, like prejudice, voluntarily relinquish them and swim shoulder to



shoulder with the rest of humanity towards the goal, the approaching tidal waves, whose distant rumblings are already reaching discerning ears in clear peals, will in the fullness of time mercilessly wash away their straws.

There are already indications that the ranks of the narrow-minded and misguided sponsors of these anti-human institutions are gradually thinning away. During my school life I found that the Hindu students, generally speaking, had already liberated themselves from the shackles of some of these taboos. They felt no hesitation in eating with Muslim students though they seldom dared to do so in the open under the gaze of their elders. What is important is that their minds had already revolted against these sub-human practices. This liberal spirit gained considerable ground during the countrywide agitation against the partition of Bengal when a substantial section of the Muslim community had made common cause with the Hindus, though largely under a misapprehension of the real motive of the Hindu-sponsored movement.

As already indicted, the British policy of state patronization of the Hindus, and the neglect, victimization and suppression of the Muslims coupled with many other factors such as the ingrained hatred which accumulated in the Hindu heart against the Muslim invader during long centuries and which under state protection burst out in practical expression during certain stages of the British rule, and the natural decay that had crept in the Muslim society had produced a corroding inferiority-complex in the average Muslim. One of the most effective weapons diabolically used for the psychological massacre of the Muslims was the literary offensive. The text made any reference to Muslim characters except in rare instances when the purpose of such reference was to slander them or at best to mention them with faint praise. History itself was distorted with the same purpose. This naturally made the Muslim student invariably feel small while elevating the spirit of the Hindu student. This was a period of great revival for the Hindus and the Hindus of Bengal were at the vanguard of this revivalist movement. Renowned scientists, philosophers, religious leaders, poets, novelists and dramatists grew up amongst them. The pens of almost all the writers amongst them, particularly of the great novelist Bankim Chandra Chatterjee were wielded with the purpose of idolizing everything Hindu and condemning the Muslim.

A byproduct of this literary offensive against the Muslims proved equally disastrous to the latter. The Bengali language, on account of its heterogeneous origin, had been generally kept at arm's length by the orthodox Hindu at the early stages of its growth. It developed under the patronage of Muslim kings, chieftains and Nawabs and in course of time by the influx of Arabian and Persian words and expressions. As a vehicle of Muslim thought it had assumed a character which both in form and content was largely Muslim. After Muslim power had vanished, the Hindu revivalists realized the importance of the mother-tongue of the people in the furtherance of their objective, and adopted Bengali as the vehicle of their literary expression. And by the introduction of Sanskrit words and expressions and elimination of those Arabic and Persian, and by

infusing into their powerful writings the spirit of Hindu religion and culture, they changed the very character of the language both in form and content and practically snatched it away from the Muslims! The result was that the Muslims came under the complete domination of the Hindus, economically, culturally and to a large extent also doubt were their titular masters, but their real masters were the Hindus !

The inferiority complex injected into the Muslims through all these channels was all-pervading except in two respects. The Muslims felt that they were still physically superior to the Hindus and they had a general feeling that their monotheistic religion was superior to the idol-worshipping Hindu polytheism. The uneducated Muslims however had in general, very little real knowledge about their religion and as such this idea about the superiority of their religion was more or less superficial.

The system of education introduced by the British was only nominally secular and culturally was both pro-British and pro-Hindu and pointedly anti-Muslim. The old Muslim institutions had already died of inanition, and the only newly established institution imparting some sort of Muslim religious education established by the British in Bengal was the Calcutta "Madrassah" or religious school. The Aligar Movement, which was the first bull work set up against the Hindu cultural onslaught could not yet make its impact felt in distant Bengal. So even the educated Muslim youth of Bengal had, in those days, very little means of acquiring any real knowledge of their religion, culture and history, except family traditions which naturally existed only as a few isolated islands in the vast ocean of ignorance. But even this family tradition wherever it existed could hardly be an adequate substitute for a regular religious education. In my own instance, for example, inspite of the fact that family tradition had given me some sort of an Islamic background in my early youth, my eyes were first opened to the greatness of my religion when I listened to the address of Munshi Shaikh Zamiruddin at a Muslim public meeting at Goalundo-ghat about seven or eight miles originally a Muslim, had been converted to Christianity, became a Christian missionary, but after having made a thorough comparative study of the two religions, reverted back to the Muslim faith and became a preacher of Islam. I was at that time a student in the topmost class of our High English School.

The Muslims during those days of their degradation had, curiously enough, adopted in many places certain Hindu manners, customs and social patterns diametrically opposed to their religion and culture. Although nowhere they actually took to idol-worship in certain places they used to imitate certain customary rites connected with the worship of the goddess of wealth (Lakshmi) and sometimes of the goddess of learning (Saraswati). In certain limited respects they also adopted something like the caste system. There were no intermarriages between Muslim weavers, fishermen, oilmen, etc and other Muslims! Like the Hindus, who were divided into four mutually exclusive castes, the Brahmins, Khatriya, Vaisya and Sudra, the Muslims allowed themselves, under Hindu initiative, to be classified as Syed, Sheikh, Mogol and Pathan although

there was no caste barrier of any kind whatsoever between these classes per se. Educated Muslims, in most cases, imitated the dress and certain other manners of the Hindus. Many of them were anxious to pass off for Hindus and when dressed like Hindus there was nothing to distinguish an educated Muslim from a Hindu. The Hindus also encouraged such imitation in their Muslim acquaintances by frequently remarking "you look exactly like a gentleman" ("Bhadralok") and the Muslims so accosted, with rare exceptions, took such remarks as compliments!

During my schooldays, I too, like all other Muslim boys of our drove, used to dress myself as a Hindu boy and while in the market place I was once addressed as a Brahmin ("Thakur Mahasaya"). This habit continued, though intermingled with occasions of dressing like a Muslim, even while I was a College student upto the intermediate standard, after which however I used to dress myself as a Muslim generally. Later on after entering life first of all as a teacher and then as a lawyer, I used to dress myself invariably as a Muslim. On a second occasion also I was mistaken for a Brahmin under very awkward circumstances. I was still a college student and was at that time at the house of my father-in-law. I was standing in the outer courtyard one morning and my father-in-law as well as several other persons were near about, I was dressed in dhoti and shirt like a Hindu. A low-caste Hindu tenant of my father-in-law happened to approach the scene to have a talk with my father-in-law. The superior landlords of my father-in-law were Brahmins and apparently the Hindu tenant in question took me to be a member of the Zemindar family on a visit to this village. I did not suspect anything unusual and was standing indifferently. The manner of the tenant's approach when he was quite near to us aroused my father-in-law's suspicion and he cried out twice saying, "He is not a Brahmin, he is not a Brahmin!" But the warning was too late and the man stooped and touched my sandaled feet. I blushed embarrassingly and quickly stepped away from the awkward scene!

It has already been mentioned in another connection that the performance of some religious rites both of the Hindus and Muslims, such as the "Holy", "Swaraswati puja", processions with music in front of mosques, cow sacrifice, Muharram processions bloody communal riots. These however generally took place only in big cities and towns, and not in the villages.

In the villages owned by Hindu landlords, and in about two-third of the entire area of the Province of Bengal hardly any cow sacrifice was permitted. Our village was owned by a Hindu Zemindar professing the liberal Brahmo cult. There was an ingenious unwritten ordinance promulgated by the Zemindar. Anyone sacrificing a cow and any person carrying information of such sacrifice to the Zemindar, were both liable to be punished with a heavy fine of one hundred rupees! The result was that there was no cow sacrifice in the village. Amongst the inhabitants of our village, as far as I knew, it was only my uncle('Fufa', i.e. father's sisters husband) Khandkar Kazim Ali who used to sacrifice a cow on the occasion of the "Eid-ul-Azha". Though he was an inhabitant of our

village he had landed properties also in a neighboring village under "Parghana Dhuldi," the Zemindar of which, though a Hindu, usually did not take any serious notice of such sacrifices. My uncle used to take the cow meant for sacrifice to that village and the ceremony over, used to bring home the owner's customary one-third share of the meat, -- the rest being distributed amongst the poor people present on the occasion. Our family used to be invited to partake of the feast that followed and we greatly relished the various delicious dishes prepared on such occasions. After my uncle's death, his son Khandkar Rahmat Ali could not maintain the family tradition and discontinued the practice of sacrificing a cow on the occasion.

It would be wrong to conclude from what I have stated above regarding Hindu-Muslim relations that the two communities were in a constant state of tension and ever ready for a showdown. The living in the subconscious minds of the two communities under cover of a smooth skull of apparent harmony and co-operation and appearing on the surface on rare occasions spurred by the stimulus provided by some untoward incident very often trivial and insignificant. Although some villages and hamlets were exclusively Hindu or Muslim, most of them were inhabited by both the communities and their homes were intermingled. Hindu and Muslim neighbors were generally on the same good terms as existed between neighbors belonging to the same communities, though this good neighborliness was visible only in the outer circle of relationship and was non-existent or far less in evidence in the more intimate inner ring of the social structure.

### **Relations with neighbors**

Most of our immediate neighbors were Hindus and our relationship with them were normally very cordial. The male members of the three barber families living in houses to the contiguous west of our house used to come to my father every now and then for advice or friendly chat. They were Kutiswar and Purna who were our own barbers and elder brothers of my playmate senior Ghetu, Mathur, elder brother of my playmate junior Ghetu and Kodai, cousin of Mathur. Their women folk similarly visited the female members of our house and vice-versa except that my mother did not go to their houses. We were also on very good terms with the Sarkar family. Sitanath Sarkar, the head of the family, who was are puted scribe, was the father of my friend Lalit. There was another prosperous Hindu family headed by Ishan Chandra Das under whom my father held about two bighas of land. He was much older than my father and treated the latter with apparent affection. His son Barada Kanta Das was a senior student of the Khankhanapur M.E. School when I joined that school and later on became the consignment of excellent tea from his garden. Barada Kanta's younger brothers, Sashi Bhusan Das and Purna Chandra Das were my friends. Good relations also existed between our family and the families of the Chakies and Ghoshes. The fishermen families living in a small hamlet to the south of our house had similar good relations with us. They were very poor and most of them used to purchase rice on credit from my aunt Sabja who used to carry on a small business in rice.

Our relationship with the Mitter family living to the immediate south of our house was somewhat of an indifferent character. On one occasion there was a serious quarrel with that family. A she goat of that family had strayed into our house and seriously damaged certain vegetable plants. My aunt Sabja in a loud voice abused the womenfolk of that house for letting loose their goat. Thereupon Gopal Mitra, the head of the family lodged a complaint to the Zemindar's Katchary (court) Khankhanapur. A bailiff of the Zemindars came and took my father to the Katchary under arrest. A trial took place then and there and my father as to pay a fine of twenty rupees! The Zemindar in those days wielded tremendous powers under the patronage of the British Raj and the tenants in general had not the courage to raise a voice of protest against them. My young heart was weighed down with a terrible sense of humiliation at this incident. In course of time normal relations were restored between our two families.

My father's Muslim friends were quite numerous. Later on in life my father was recognized as the head of our part of the village and almost every one used to come to him for advice and help when necessary. Amongst his particular friends were Dagu Mandal, Sefatullah, Qadir, Kalimuddin, Qamaruddin, Haran, Dukhi Mollah and others. Some of them coming to see my father in the great annoyance of the female members of the family. Very often they partook of the night meal with my father.

Amongst these friends Dagu Mandal and Sefatualah had a great sense of humor. On occasions I still recall with pleasure some of their witty remarks and humorous stories.

### **The Religious and Moral Plane**

The Hindus observed their religious rituals with strict regularity. But the impact of western materialism conveyed through western education, which spread amongst Hindus earlier than the Muslims, made the bulk of educated Hindus lose faith in their religion. The Hindu revivalist movement had begun a struggle against this tendency but had not yet attained any appreciable success so far as the purely religious plane was concerned.

As far as the Muslims are concerned, their boycott of western education for several decades saved them from a similar fate although the boycott proved to be detrimental to their secular interests. Happily when the boycott was gradually lifted, it was through the instrumentality of the Aligar movement, which took adequate precaution against this poisoning effect of western education. This partly safeguarded the educated Muslims from the materialistic influence of English education. But the spirit of the Aligar movement took time to spread and many parts of this vast subcontinent including Bengal had hardly felt the impact of the movement for a time. Moreover, having adopted or accepted the western system of education under stress of circumstances, it was impossible for the Indian Communities to remain unaffected by its the good that is there in the English education along with what is bad in it.

The religiosity of the Muslim masses, however, had no deep roots except in one important aspect of it, "Tauhid". They believed in one God who is the Creator, Sustainer and Nourisher of the universe, without any partner, as distinguished from the polytheistic or atheistic beliefs prevalent amongst certain other peoples, and felt convinced about the truth and superiority of their Faith. But as far as the other fundamental principles of Islam, they were quite ignorant about them and as a consequence their observance of the religious practices enjoined by Islam was more or less formal without any soul in them. They were thus largely deprived of the real ennobling influence of Islam. They were also split up into innumerable warring sects constantly quarreling over flimsy trivialities having very little to do with the spirit and fundamentals of Islam. In this they were the victims of certain mushroom Pirs, who goaded by necessity in the absence of other avenues of employment, and taking advantage of the general ignorance and credulity of the people, adopted this profession and unscrupulously exploited and misled the ignorant masses. They divided the people into innumerable rival groups and brought discredit to Pirs in general, among whom there were and still are many who are genuinely holy men and are true guides for those who seek enlightenment from them.

As already stated there was a two-pronged attack against Muslim culture, -- the one was the impact of western culture and the other that of Hindu culture. The Hindu influence had been quite considerable particularly amongst certain poverty-stricken sectors of the Muslim Community, many of whom were being gradually drawn towards certain rituals of the Hindus and Hindu culture in general. This onslaught was effectively checked by the missionary efforts of Mowlana Keramat Ali Marhum of Jainpur, in the state of Utter Pradesh, who was a disciple of the great Muslim leader and savant, Syed Ahmed Bretvi of immortal fame. He reawakened the Muslims of the entire subcontinent and organized them to fight the forces inimical to the Muslims, and also the Sikhs at the first instance, who had by then made themselves masters of the predominantly north-western regions of the subcontinent. Mowlana Keramat Ali's name became familiar to every Muslim family in Bengal. Another great Muslim savant Hajee Shariatullah Marhoom of Faridpur also took up similar work to fight the de-Muslimising tendencies of the age. They largely succeeded in re-infusing the Islamic spirit in the hearts of these Hindu-ised Muslims who gave up the un-Islamic practices they had taken to. As a result of their efforts, a system of social boycott came into vogue and any person transgressing the religious or the moral code, which in Islam are almost identical, used to be under a social ban. This came to be regarded as a debasing punishment and the fear of it became so great that there was very few transgressions of the religious or the moral code. In my childhood, I found this institution of boycott to be a very effective weapon. But gradually it began to wane in influence until it almost disappeared.

In that limited but very important field of morality concerning extramarital relationship between men and women, Muslims stood in a better position than non- Muslims on account of the former's strict religious injunctions with regard to such misbehavior, and the consequent social customs in conformity with those strict injunctions. On the other hand, the stories about Hindu god Krishna's incestuous relationships, which though in all probability were utterly unfounded, unfortunately were believed by the bulk of the Hindu Community to be sacred love. holy personages, and the ban on widow marriage were to my mind the main causes of the laxity noticed in the Hindu society in this regard. Again this laxity was more in evidence amongst certain castes in the lowest rung of that society. Western education, which influenced Hindus much earlier than the Muslims, was more of an aid than a corrective to such laxity. Western education, however, awakened and proved to be an incentive to certain latent creative and moral faculties and as such contributed to the general uplift of the Hindu society while the Muslims were still rotting in their old ruts. In imagination, courage, determination, tenacity of purpose, organizing capacity etc. the educated Hindus took a lead and strode far ahead of the Muslims.

The standard of morality was low amongst the general masses irrespective of their religious denomination. The British legal system transplanted to the Indian soil, though an improvement upon the old system in many respects, bore some bitter fruits. It facilitated perjury in the witness box. It encouraged litigation and proved ruinous to thousands of families.

While I was a school boy I came to know of a criminal case amongst certain neighbors. The young wife of Quadir, younger brother of Sefatullah, my father's friend, was enticed away at night. None saw the actual occurrence. Suspicion fell upon Abdur Rashid Khan, a son of Jhapu Khan, and to all appearances he was the real culprit. Quadir instituted a criminal case against Rashid. A number of witnesses deposed to having seen Rashid taking away the girl. I came to know about this as the complainants party often came to take advice from my father. Rashid was convicted and sent to jail for several months. The witnesses who gave false evidence probably acted on the convinced that Rashid was the culprit and as such felt no hesitation in perjuring themselves to get the "culprit" punished.

There was very little public sentiment against bribery, corruption and even forgery. The judiciary, including the magistracy was thoroughly honest and uncorrupted. But the police had the reputation of being grossly corrupt. Cases of forgery were, no doubt, few and far between. But unfortunately it was not generally regarded as disreputable. A Muslim belonging to a respectable family, who lived in a village about five miles to the north of our house had the reputation of being an expert forger. I heard many stories about the superb cleverness he gave proof of in performing such acts. People narrating those stories eulogized his skill and had not a word of disapproval or condemnation of such a heinous crime.

## CHAPTER II COLLEGE EDUCATION

### **a. Victoria College, Cooch Behar**

Like the general administration of the country, educational policy and to a large extent educational management too was controlled by the Government in those days. The anti- government and anti-British agitation in the wake of the partition of Bengal had received enthusiastic support from the students.

As already mentioned I passed the Entrance Examination in the year 1906, known amongst students as the "Year of Massacre". Though my Entrance Examination success was hailed with joy by the entire family it created for me more problems than it solved. A teacher of mine suggested that I might seek an appointment under the Zemindar of our village, others suggested that I might apply for the post of a Sub-Inspector of Police, which I could easily secure. Any such appointment would have been of great financial help to my father who was finding it more and more difficult to maintain the growing family. But my ambition for higher studies was so strong that I could not reconcile myself to the idea of accepting an appointment however lucrative at that early stage of my career, though I did not know how higher studies could be financially practicable for me. My father fully sympathized with my ambition but his heart sank when he thought of the expenses involved.

I consulted my Persian teacher Moulvi Muhammad Ismail who gave me encouragement and said that I might join the free College at Cooch-Behar where he had an acquaintance who might provide me with board and lodging. I readily accepted his advice and my father also gave his approval. With great difficulty my father could collect for me a sum of rupees thirty, and armed with that small purse and a letter of introduction from Moulvi Muhammad Ismail, I started for Cooch Behar probably in the month of May, 1906. The journey was very interesting. Our servant Meghar who had become a member of our family carried my luggage consisting of a small bed roll and a steel trunk to the Khankhanapur Railway station a mile and a half to the north of our house. I had to change train at Rajbari and again at Poradah from where I went to Saraghat where the broad-guage line ended. The Hardinge Bridge had not yet been constructed. A Ferry steamer took the passengers from Saraghat to Damukdia ghat on the other side of the Padma. At Damukdia the metre-guage line commenced. I travelled from Damukdia upto Gitaldah by a metre-guage train and from Gitaldah I had to travel upto Cooch Behar by a narrow-guage train. This was the first time I saw a metre-guage or a narrow-guage train. Compared to the broad-guage engines and coaches, the metre-guage and narrow-guage counterparts looked like ridiculous pigmies and I felt greatly amused.



On reaching Cooch Behar my first disillusionment was that the soil there, which I had imagined to be of an altogether novel composition was more or less like the soil of our own place and this one factor made me feel at home. Some very fantastic notions existed amongst the people of our locality regarding Cooch Behar and its people. Another pleasant surprise was that the language there, though different in certain respects was essentially the same as spoken in our place.

There was no one to receive me at the Cooch Behar Railway station and I had to hunt out the house which was my destination. On reaching the house I found it overcrowded. There were already quite a number of students who were residing there. Some were members of the family. Some were relations. And there was one named Abul Khair Muhammad Ebrahim who was a stranger like me. It was only natural that I could not be very enthusiastically received in circumstances like these. But I had no other alternative than to stay on till I could find an alternative accommodation about which I had no idea at the time.

I came to learn that Moulvi Abdul Halim, the Persian Professor of the College used to do his best for students placed in circumstances like mine. I met him and got a very warm and sympathetic response from him. He took a fancy for me and from that very day began the search for a suitable situation for me as a residential student-tutor. About two weeks elapsed without his efforts being rewarded with success and he advised me to stay in a mess for some time before he could find out a place for me.

So I removed to the only Muslim students' mess housed in a few thatched huts in an outlying part of the town. As the little money with which I had gone to Cooch Behar was almost exhausted, at the advice of Moulvi Abdul Halim I wrote to my father to do his best to send me a sum of forty rupees. I received the money in due course but I was distressed to know later on that the money had been collected by my father with the utmost difficulty.

At the mess I became intimate with a student named Tafsiruddin Ahmed who was then a school-student of the top-most class. The intimacy grew up into warm friendship which continued till his death in Calcutta years later.

While at the mess I had no complaint about the living accommodation or the food, but I could not stand one thing. The latrine was so unclean that any approach to it completely upset me and during the 8 or 10 days that I was at the mess, I had eased myself only once in a neighboring bush.

One day Moulvi Abdul Halim said that he had found a place for me and took me to the house of Akhtaruddin Ahmed, a Sub-Inspector of Police, who belonged to the district of Faridpur. He was not then living with his family and I got an entire hut as my bedroom.

The food also was much better. But I felt uneasy as there was no scope for me to give anything in return for the generosity extended to me, since there were no children for whom I could act as a tutor in accordance with the usual practice in such cases.

But I had not to stay there for long. After two or three weeks Moulvi Abdul Halim said that he had succeeded in finding a very good place for me. He took me to the house of Choudhury Amanatullah, a landlord of Cooch Behar. Besides his country residence at Hatibandha in the Mikhliganj Sub-division, he had a house in the town of Cooch Behar. His only son Emdad Ahmed, who was a school student, used to reside there along with another school student, Abul Hossain who was a relative, there was a servant who used to cook the food and also did the rest of domestic work. The main hut was a big tin-roofed structure with a raised wooden plat-form as the floor and there was a spacious grass-covered compound at a corner of which stood besides other trees, a big jackfruit tree. I was to act as the tutor of Emdad and Abul Hossain. When Moulvi Abdul Halim took me to the house, Choudhury Amanatullah was present. He was a venerable looking gentleman aged about 60 with white flowing beard. He was a thoroughly cultured man with a broad outlook and generous disposition and from the very start he not only became a mere benefactor to me but also a guardian solicitous of my welfare. All arrangements were quite satisfactory and I felt very happy.

Victoria College, Cooch Behar, was housed in these days in premises which formerly comprised the Maharaja's stable. The Maharaja was a native chieftain and though his state was not large, the then Maharaja on account of his personal qualities of head and heart held an esteemed position in the galaxy of native Princes. The spacious buildings of the stable which at one time had served as an efficient training ground for young horses, proved equally efficacious in the training of human youth under the able superintendence of an intellectual giant of the age, Brajendra Nath Seal, who was the principal of the College. As already stated it was then a free College and students had not to pay any tuition fees. After a year or so the College shifted to more suitable new premises and it ceased to be a free College. A monthly fee of six rupees per student was prescribed.

The College had very efficient staff of professors. English was my favorite subject and I became particularly enamored of the English Professor Mr. Joy Gopal Banerjee. His lectures couched in high flown, almost grandiloquent language, delivered extempore, could not but captivate his audience. There were some very meritorious students in the class, namely, Mohini Mohan Sarkhel, Lakshmi Kanta Majumdar, Nalini Kanta Bose and a few others and in the beginning I was diffident as to my capacity to hold my own in competition with them. The first occasion that aroused confidence in me was the annual examination in which I secured the highest marks in English amongst all the students. This also made me an object of admiration particularly amongst my classmates.

In those days besides English and a second language, which in my case was Persian, the Intermediate course also included Mathematics, Geometry, Trigonometry, Physics and Chemistry as compulsory subjects. I also look up Logic and History which were optional subjects. I did moderately well in these subjects, but in Mathematics and Persian I was below the average. For some reason, at a critical stage of studies in mathematics, I was unlucky to miss some crucial lectures in the class and as I never received any assistance from any quarter outside my class, I lagged lamentably behind in mathematics. In Persian I was a victim of insufficient teaching during the Entrance Course and inspite of the best efforts of my new professor of Persian Moulvi Abdul Halim I could not sufficiently make up the deficiency.

Amongst Hindu classmates I became particularly friendly with Nalini Kanta Bose of Malghar Khulna who was amongst the best students in English, besides Lakshmi Kanta Majumdar and a few others. The number of Muslim students in my class was very small. Besides me there were only three others,-Muhammad Ali, Bazlay Rahman Sarkar and Abul Khair Muhammad Ebrahim. The greatest intimacy and a very warm attachment grew up with Muhammad Ali who hailed from Domar, Rangpur and was putting up at cooch Behar with his relation and future father-in-law Moulvi Shafkatullah who was the only Muslim lawyer at Cooch Behar at the time. My friendship with Bazlay Rahman, who later on rose to be the District Judge of Cooch Behar was also quite intimate.

My relationship with Abul Khair Muhammad Ebrahim took an awkward and unpleasant turn. He was the oldest in age amongst us. He hung around our house where I met him first, as an unwanted guest. He used to dress well and was a good conversationalist. His approach towards me was very friendly but somehow or other I felt an inner repulsion against him from the start.

On one occasion he had come to know that I had drawn from the office of the College some money due on account of a scholarship. He told me that I was a youngster and might lose the money through inadvertence. I could safely deposit the money with him and take it from him gradually as and when required. I felt something fishy, but in my simplicity I made over forty rupees to him out of which I received back ten rupees in two installments after repeated demands. Gradually I found that he was almost a cypher in the class, except in small talk with his classmates. He did not know even the most simple algebrical forms taught in the High School stage. I felt within that he had not passed the Entrance Examination and told my friend Muhammad Ali about it. But a proposition like this seemed apparently absurd because without passing the Entrance Examination he could not have possibly secured admission in the College. But time showed that my intuition was correct. One day we learnt with great surprise and consternation that Ebrahim was arrested. He was tried, convicted and sent to jail. He had not passed the Entrance Examination and secured admission in our College, on the

strength of a transfer certificate from the Jagannath College, Dacca, which he had managed to forge.

### **Sun's eclipse and my indiscretion**

While I was in the first year class and living as a resident tutor at the town residence of Choudhury Amanatullah there was an eclipse of the sun. It was not a total eclipse. I and my pupils Emdad and Abul Hossain took to various devices to see the eclipse. We tried glass blackened with soot. We also saw the reflection through water put on a shallow plate. After having looked at the sun in this way for a while I looked directly at the sun and found that my eyes could stand it very well. So I lay flat on the unroofed wooden planked veranda and pored on the partly eclipsed sun for quite a long time. When I stopped looking I found that my sight was no longer normal and there was haze over everything I looked at. Even a night's rest did not improve matters and when this condition continued for several days I got alarmed. I consulted the eye- physician in the state Hospital. He rebuked me for my foolishness and said that the damage might be serious. I felt completely upset and wrote a letter of despair to Nasir, which proved a great shock to him as well as to the members of my family. Luckily things improved in course of time, but the indiscreet act permanently weakened my eyesight though not to a very inconvenient degree. My studies seriously suffered for about a couple of months.

### **Puja Vacation**

In the schools and colleges of our Province there were two long vacations, the summer vacation (May) and the puja vacation (October-November). I went home during the Puja vacation. Nasir was then preparing for his Entrance Examination. He found a great change in me. He said I had become far more smart and also more clever in speech. I occupied myself during the vacation, visiting friends and relatives, rowing and catching fish.

My old school at Khankhanapur was also closed. But the headmaster Babu Aghore Nath Roy and several other teachers had not left the station. I used to pay frequent visits to them in the afternoon. A very pleasant surprise was in store for me one such afternoon. My old Head Master Babu Aghore Nath Roy showed me a copy of the English Daily, Amrita Bazar Patrika in which the names of recipients of a number of Government special scholarships were published and the list included my name. Nasir and other friends who were with me at the time were also very happy. But the news was particularly welcome to my father who was finding it extremely difficult to provide me with the expenses of my studies although the expenditure was much reduced on account of my provision as a resident tutor at Cooch Behar.

There was another happy event in our family during this vacation. My younger brother Abu Ahmed was born. As he was the first male child to my parents after five successive daughters, - one not mentioned before having died in infancy- his birth was hailed with great joy. The first intimation I received of his birth was from my younger aunt who

cried out to me from the hut saying " come and see what longish fingers your brother has". Abu has particularly long arms and fingers, said to be signs of courage.

### **b. Encounter with Indian Soldier**

The next time I went home from Cooch Behar was during the summer vacation of 1907. Keshab Chandra Dutta II, who was a class mate of Nasir was also a very close friend of mine. He passed the Entrance Examination from our school in 1907 and decided to go with me to Cooch Behar for the purpose of further studies. So we started together at the close of my vacation. In the train we were of course in the same third class compartment. It was either at Parbatipur or some other big station that a number of Indian soldiers boarded our compartment. I was at that time occupying a window seat. One of the soldiers unceremoniously asked me to move away from the window so that they might occupy that seat. My spirit revolted within me and I declined to oblige him. When he began to threaten me I asked Keshab in English to pull the chain for stopping the train. Keshab did not dare to do so and repeatedly requested me to yield. As I was still adamant the man pushed me away and took possession for my seat. There was nothing further that I could do. I sat still smarting under the insult and felt awfully angry against Keshab. I felt convinced that soldiers are not really human beings but beasts. But shortly afterwards the offending sepoy showed me a softer side of his character. This first incident had taken place during the latter part of the night. Early in the morning when the train had stopped at a big station the soldier along with some of his comrades got down and plucked some flowers from a row of plants that flanked the platform. On boarding the train again the man smiled at me, gave me some of the flowers with a very friendly gesture accompanied with appropriate apologetic words. Although my mind was still bitter against him, this unexpected human behavior had a mollifying effect on me and my temper quickly cooled down. We parted as friends. I thought later on that Keshab perhaps acted wisely in not complying with my request to pull the chain. But the incident showed how different my nature was from that of Keshab.

Keshab was a versatile person. He was ever jolly and on account of certain peculiarities of his nature he was called 'pagala' (madcap) by his friends. I still recall with unique pleasure some of the hilarious stories with which he used to entertain his companions. After passing the B.L examination he had joined the bar at the Sub- divisional headquarters at Rajbari but he died only a few years later.

The Test Examination for admission into the first Arts University Examinations took place either towards the end of 1907 or the beginning of 1908. I stood first in English having secured sixty percent marks. In other subjects also I did moderately well.

Choudhury Amanatullah at about this time made a unique gesture of generosity towards me. He told me one day that my studies would suffer if I had to act as the private tutor of the two boys who had been placed under my charge and that

thenceforward till my first Arts examination I would be relieved of the duty of giving instructions to the boys and that he would engage another tutor for them for this period. I expressed my hesitation to accept such unilateral favor, but at his insistence I agreed.

The examination over, I came home in March or April, 1908. Choudhury Amanatullah Saheb advised me to go back to Cooch Behar for B.A. studies, but I was yet undecided in my mind. I was not satisfied with my performance at the examinations and my first anxiety was with regard to the result of the examination.

The result was not while I was vacationing at home. The result was somewhat disappointing as I could not pass in the First Division, but was placed in the Second Division. I got a star for my essay in Bengali which was an optional subject, I had also got a star for Drawing in my Entrance Examination, which also was an optional subject. My greatest disappointment was that my friend Muhammad Ali failed to pass the examination.

A very difficult question faced me when the result of the first Arts Examination was out. From the start I had the ambition of studying in the Presidency College which was the premier College of the Province and I felt very much tempted to go Calcutta to join that College. Victoria College, Cooch Behar had also a good reputation, and under the circumstances the wisest course would have been to go back to that College. But as on many other critical junctures of my life I was guided more by sentiment than by cold reason, I decided to go to Calcutta to join the Presidency College.

On reaching Calcutta I took up temporary lodgings at the hostel attached to the Laik Jubilee Institution at 29, Mirzapur street, the same place where I had stayed during my Entrance Examination. I received my first shock when I found that the last date for submitting application for admission into the Presidency College had already expired. I should have then hurried back to Cooch Behar, but I did not.

### **c. Scottis Churches College, Calcutta**

In July, 1908 I got admitted into the Scottish Churches College which had the next best reputation. I took up the Honors Course in English along with History and Philosophy as my other subjects. Teaching had started in the classes several weeks before I took admission and I found it somewhat difficult to catch up with the rest of the students, specially on account of the fact that I had no money to purchase all the text books. My mind was also unsettled on account of financial difficulties. I was too poor to stay on in the Jubilee Hostel. Seeing my difficulties the Superintendent of the hostel found me a 'jagir', the position of a resident tutor at house of Mr. Hassibuddin Ahmed who was then a Munsiff, at Buddha Ostagar's Lane. I had to teach three or four boys and had very little time to attend to my own studies.

I used to keep a diary in those days in which I jotted down in short my important experiences. I was then carrying on a struggle against a minor short coming in which the eye was the culprit and I used to jot down instances of that struggle in my diary. One of my pupils surreptitiously went through the diary and built up rumors upon it, which also added to my mental misery.

Hassain Shahed Suhrawardy, elder brother of Mr. Hussain Shaheed Suhrawardy was a student of the same class with me and was one of those with whom I became familiar. Sree Kumar Banerjee, whose extraordinary talents had not yet become manifest was also amongst those who had taken up the Honors Course in English. He ultimately rose to be the Principal of the Presidency College. There was also in the same class with me Sisir Kumar Bhaduri who later in life became the prince of the Indian stage and film. I heard him deliver a speech in English in a College function. It was a prepared speech which he had got by heart and delivered without reference to the written text. The speech bore ample evidence of his histrionic talents. Pramatha Bose of my own district but who was not known to me before, was also my classmate. He too, like me later on joined the bar at Faridpur as a legal practitioner.

It was a Missionary College and we had to attend a Bible class once a week. Every student was given a copy of the Bible free of cost. Rev. A. Lomery used to take the Bible class. He was an impressive speaker. To my mind the lectures fell flat upon the alert minds of his young audience because he had mostly to speak in support of certain dogmas which did not appeal to reason. Christian bias was hardly evident in other classes although in one instance a Professor of English while lecturing on Lamb's Essays on Shakespeare made reference to a fictitious story about the Prophet of Islam derogatory to his character. It might have been however more due to ignorance than bias. Islam and its holy Prophet have been in the past so much maligned by Christian writers that unwary students may be easily taken in and misled to accept fiction as fact.

#### **d. My Marriage an Triple Tragedy**

My heart bleeds when I ponder over the nerve-racking financial difficulties that my father had to face to meet the expenses of my education. Had I not gone to Calcutta, his difficulties would have been much less. He was, notwithstanding, as eager for my higher education as myself and was on the lookout, for help from all possible quarters. The only possible quarter was matrimony. Some well-to-do persons were anxious to give their daughter in marriage to me on the stipulation of bearing my educational expenses. My old Persian teacher Moulvi Ismail was the sponsor of one such proposal. My father was not only agreeable to the proposal but was eager to accept it. He however probably suspected that I might not agree and so instead of talking to me directly on the subject he sounded me indirectly through others. My reaction was utterly unfavorable and so also was Nasir's. I went home during the Puja vacation (October, 1908) when all this talk was taking place.

Towards the end of the vacation a new proposal of my marriage was received. The father of the girl, Dr. Bashiruddin Ahmed of village Charnarayanpur which was about a mile and a half to the north-west of the town of Rajbari, actually visited our house to have a look at me. He was a homoeopathic doctor and had the reputation of being well-to-do. The first reaction of all of us was favorable. A few days after that I went back to Calcutta.

Negotiation continued to be carried on and Nasir wrote to me about all developments. He also visited the prospective bride's house and thereafter wrote to me about the accomplishments of the bride. She was good looking, fair in complexion and was very good at her studies. She had already completed the reading of the Holy Quran and was learning Bengali and also a little English. But she was very young, only about 11 years old. Her name was Rahatunnissa Khaton. Dr. Bashiruddin Ahmed promised to provide for the bride's dress and jewellery and to bear all the expenses of my education thenceforward. The marriage was settled on these terms. He also made over to Nasir a sum of money for my dress and for a watch and a gold chain as wedding presents. The money was in due course sent to me by money order. The 25th of February, 1909 corresponding to the 13th of the Bengali month of Falgun was fixed as the date of marriage. I had a pink colored alpaca "sherwani", a "choga" and trousers to match, prepared. I also purchased a "pagree" inlaid with gold thread, and a watch and a gold-chain from the West End Watch Company. I went home about a week before the date of the marriage.

It was the advent of spring and the natural bloom in my face became prominent. One morning while I was returning home from somewhere and passing along the courtyard of one of our barber neighbors a woman of the house jokingly remarked, "Look, his face has already assumed the wedding hue". I came back home with quickened steps.

Very soon our house became more than filled with relatives both male and female. Amongst those who came were my married sisters and their husbands, some of my maternal uncles and my grandmother who was then about 80 years old.

On the appointed day, early in the evening after "Maghreb" prayer, dressed in the wedding costume I was placed in a palanquin sent from the bride's house. And just before starting, my mother came to me to give me her blessings and quite unexpectedly kissed me on both cheeks to my inexpressible delight though mixed with some feeling of embarrassment. My brothers-in-law and some other young men accompanied on foot; the palanquin was carried by four bearers with two extra men for alternation. It took about an hour to reach the bridal house. When the palanquin was approaching the house the bearers produced a peculiar loud vocal music which altered the entire locality. The rest of the bridegroom's party, including my father and Nasir, about 20 men in all arrived later by train. The ceremony took place in due course followed by the usual wedding meal. According to the usual custom of those days there was a special



gigantic tray for the bridegroom, which along with the wedding dinner was full of a large number of extra delicacies.

I saw the bride for the first time next afternoon shortly before the return journey home. I was taken to the inner apartments and was introduced to my two mothers-in-law, my paternal and maternal grand mothers-in-law and certain other ladies to whom I extended ceremonial salutations and who in return gave me their blessings. My father-in-law then brought my wife face covered by veil, and formally presented her to me with appropriate words introducing her little hands into mine. She was taken back immediately afterwards.

On the occasion of the return journey there were two palanquins one for me and the other for my wife and my paternal grand-mother-in-law who also accompanied my wife as the latter was so young. My wife was very well-received in our family and everybody was pleased to see the bride. After a stay of 2 or 3 days she was taken back to her father's house and I had to accompany with a few relatives according to custom. After 2 or 3 days I returned home, leaving my wife at her father's house.

Although my marriage took place in early spring, the weather had occasional wintry spells. Our relatives who had come to our house on the occasion of the marriage, did not and they were not expected to bring their own beddings. Naturally there was a shortage of quilts and other night coverings, and the consequence was that the members of the family had to do with very scanty coverings during night. A few days after the marriage my sister Mazirunnissa was attacked with fever and pneumonia. Dr. Haramohan Saha of Kholabaria was called to treat her. But all efforts proved futile and she passed away after about a week's suffering. In her delirium during her last moments she made repeated heart-rending references to me, When she died, her son Nuruzzaman was about two years old.

About two weeks later my third sister Laekunnissa had an attack of high fever. She never rose from sick bed and suddenly died on the 3rd day, - the symptoms indicating that it was an attack of meningitis.

My second sister Badrunnissa had gone to her husband's house with her infant son some time after the marriage. A few days after Lackunnissa's death, information came that Badrunnissa had a serious attack of fever. The whole family was alarmed. I went to her house and found her in a serious condition. A doctor of Panchuria was treating her and I went to the doctor several times to bring medicine for her. A few days later I returned home and after the lapse of two or three days I went back to my sister's house. There was no improvement in her condition. I returned home and after a few days stay and while I was at home information reached that she too had expired.

These tragedies occurring in such quick succession caste an ominous gloom over the remnant of our family. My mind was in an extreme state of depression.

There was an apprehension that in pursuance of local superstition particularly prevalent among Hindus, my parents and aunts might be led to connect these tragedies with the marriage, in which case they could never be favorably disposed to the bride supposed to be the ostensible cause of the misfortune. Luckily no such indication was given by any member of our family who always remained favorably disposed towards my wife.

The poignancy of the bereavements gradually diminished in course of time and I began to think of going back to Calcutta to resume my studies. As my studies had received a setback on account my long absence from College, there was an apprehension that I might not be able to appear at the B.A. Examination due in 1910 on account of a probable deficit in the percentage of attendance at lectures required by the rules. The question therefore arose whether I should begin anew from the 3rd year class. At this juncture my father-in-law who was himself a physician, advised me to study medicine. My ambition to study in the general line was so great that his advice did not appeal to me.

I went back to Calcutta rather in a dubious state of mind. At this time I came to know that I had been awarded a Government scholarship which I could not avail of if there was a break in my studies. This tempted me for some time continue my studies in the regular course. But my earnest desire to read in the Presidency College, coupled with the fact that my friend Muhammad Ali after passing the first Arts Examination in 1909 had joined the Presidency College and I would again have the pleasure of being in the same class with him if I too joined that College, made me ultimately decide to join the Presidency College in the 3rd year class, which meant that I would lose one year and would be due to appear at the B.A. Examination in 1911 instead of 1910.

#### **e. Presidency college, Calcutta.**

So I got myself admitted to the Presidency College. I took up the Honors Course in English and my other subjects this time were Philosophy and Political Economy. My friend Muhammad Ali took up the Honors Course in Philosophy, his other subjects being English and Political Economy. English was a compulsory subject for all.

As I was more solvent now on account of the assistance received from my father-in-law I gave up my previous residence at Badhu Ostagar's Lane where I had to live as a private tutor in lieu of board and lodging and tried to secure a place in the only Government Hostel which was then available for Muslim students, viz, the Baker Hostel. But that Hostel was already full and so I took up temporary residence at the Jubilee Hostel where my friend Muhammad Ali was also staying at the time. Two Faridpur students Abdul Ghani, and Abdus Sobhan, a very meritorious student, were

also there. As this hostel was over-crowded I was on the lookout for a move to some more convenient place.

After a few months I heard that a new private hostel was started at 26/9, Harrison Road, very conveniently situated near the Sealdah Railway station and I shifted there. I got a seat in a very well-ventilated room with windows opening to a spacious vacant field to the south on the other side of which stood the Ripon College premises. My other room mates were my old friend Tafsiruddin Ahmed and Nur-ur Rahman Khan hailing from village Charan in the Tangail Sub-division of the district of Mymensingh who is now a pleader at Tangail. Abdur Razzaque, an M.Sc. student, coming from the district of Nadia, was the Superintendent of the hostel. Syed Nasim Ali, a talented Philosophy student of the M.A. Class, who stood first in that subject in the M.A. Examination and later in life rose to be the Chief Justice of the Calcutta High Court was a resident of the hostel. Later on Abdus Sobhan Mahmood also shifted from the Jubilee Hostel to this hostel. He stood First Class First in Mathematics both in the B. A. and M.A. Examinations and was appointed as a Deputy Magistrate on the nomination of the University, a coveted prize in those days, and ultimately became the Chairman of the East Pakistan Public Service Commission. Much later, my friend Muhammad Ali also moved to this hostel. My old friend Bazley Rahman of Cooch Behar also joined later on. Mr. Shamsuddin Ahmed, now an advocate of the Dacca High Court, who was a Minister in pre-partition Bengal was a resident of our hostel for a considerable time.

We lived a very happy life in this hostel and the atmosphere on the whole was edifying though much later I came know to my utter disgust that a section of the residents of the hostel had been contaminated by the vitiated atmosphere pervading the decadent under-world of Calcutta. This small section, which was gradually extending its wings was a menace to the moral life of the rest of the students. I had reason to believe that the evil was quite widespread both among Hindu and Muslim students all over Calcutta.

The Presidency College was the premier College in the Province and it was par excellence a college for the aristocracy. The fees charged from the students were very high and so also were the charges of Eden Hindu Hostel attached to the College. The vast majority of the students were sons of wealthy Hindu Landlords and other aristocrats. Admission was restricted to only meritorious students. That some Muslim students also could secure admission to the College was due to the fact that a certain number of Muslim students could be admitted at half fees on account of subsidy received by the College from the "Hajee Mohsin Fund" for the benefit of Muslim students.

Mr. James was the principal of the college at that time and there was a distinguished staff of professors including the physicist sir J. C. Bose of international fame, P. C. Roy the renowned chemist and the two famous professors of English, Mr. Percival and Mr.

M. Ghosh, the poet who was a brother of the celebrated Hindu savant Arabindu Ghosh and the revolutionary Barin Ghosh.

It was a treat to listen to the superb exposition of Shakespeare by Mr. Percival and to the measured poetico-philosophical lectures of Mr. M. Ghosh.

Among my classmates in the Honors class was Suniti Kumar Chatterjee, the famous linguist, Philologist and literateur. There was no other Muslim student in this class, but in the general English class and several other classes there were a few Muslim students including my friend Muhammad Ali and Azizul Huq who later in life rose to be both a provincial and central Minister, the vice-Chancellor of the Calcutta University and High Commissioner for India in the United Kingdom.

I was doing very well in my English class so far the general branch of the subject was concerned. In the annual examination I got the highest marks in the same, but in subjects requiring memorizing such as Philology, history of English literature etc. I was far surpassed by Sukumar and several others. It was apparent that most of the students who were sons of rich father had the advantage of private tuition at home and had ample supply of relevant books. My father-in-law could provide me with money just sufficient to meet only the most urgent necessities and I could never dream of the facilities enjoyed by most other students. I had drawback in my own nature. I had not the inclination nor perhaps the aptitude to take advantage of our well-equipped College library. Moreover the atmosphere in our hostel, which was a private one, without any restriction to the movement and behaviors of the residents of Government managed hostels, was not very favorable for steady application of the mind to studies. The distractions were too many for any serious mental work. Apart from normal visits from friends, a good chunk of my time was consumed by the too frequent and prolonged visits of my childhood friend Keshab Chandra Dutta whom I first met when I was a student in primary school at Basantpur. He had to give up his studies prematurely and was in Calcutta trying for some job. He harped on his woes and worries for hours together and while I had every sympathy for him, my mind naturally smarted at such unnecessary wastage of my valuable time. At the primary school I found Keshab to be a very meritorious student, but his talents gradually faded away.

### **Cyclone of 1909**

I went home during the puja vacation of 1909 in the month of October. While I was at home a devastating cyclone swept over the province. In our locality its intensity was comparatively less. Yet what I experienced during the dismal night of the cyclone is unforgettable. All our huts were in constant danger of being blown away and not a member of the family could go to sleep. Our cowshed actually gave way. Luckily in the nick of time my father assisted by me, both being drenched from head to foot by the gale-swept torrential rain- was able to untie the bullocks, cows and calves, and thought some of them strayed away at the time there was actually no loss.

Two memorable events, one a natural phenomenon and the other a family misfortune took place during the year 1910.

#### **f. Halley's Comet of 1910**

While I was at home during the summer vacation of 1910 the entire country was alerted by the appearance of the brilliant Halley's Comet with its enormous tail. It was an awe-inspiring phenomenon invested with a solemn charm. According to popular superstition it foretells disaster to mankind. The thought that it would next appear in 1986 after 75 years when very few of the generation then existing would be alive used to throw me into a sombre mood pondering desparingly over the mysterious limitlessness of time and space.

Shortly before I was to leave Calcutta for home on the occasion of the Puja vacation in the autumn of 1910 Nasir informed me by a letter that our homestead had been destroyed by fire. I felt very much upset. I went home as quickly as I could and found a heart-rending scene of desolation. The family was living in the open with hardly any bed, except that my father had improvised a temporary shed to accommodate my mother who had given birth a few days before the burning of our house, to a male child who was named Tafazzal Hossain. A few more temporary sheds were erected later on to accommodate the rest of the family.

As far as I could gather the fire was due to incendiarism. It occurred in the evening when my father was not at home. The man suspected belonged to our village. He was jealous of my father and was inimically disposed towards him. He was seen by a neighbor hurrying away from near our house at the time the fire broke out. My father did not think of sending information to the police because the evidence was so meagre.

Sometime after our house was destroyed by fire, I went to my father-in law's house. Finding me in a very dejected mood my father-in-law tried to revive my spirits and smilingly said "Do not worry. It is all very well that the old dilapidated house has been burnt up. God willing you will get a new and a better house. "When I returned home he gave me some money, probably by borrowing. With that money a tin-roofed house was built on the western side. That was occupied by my parents. The money that my father-in-law had given was spent in erecting two good thatch roofed houses, one on the eastern site and the other on a new site to the north-west, the latter being used as a multipurpose outhouse. Our homestead assumed a new and a more impressive look and we all felt very happy.

#### **g. Faridpur's first Muslim Honors Graduate**

In March or April, 1911 I appeared at the B.A. Examination and thereafter returned home. In June or July, I received a telegram from Moulvi Abdur Razzaq, Superintendent of our hostel, informing me that I had passed the B. A. Examination

with Second Class Honors in English. It was an occasion for great jubilation in our family. I became the first Muslim Honors graduate of our district.

On return to Calcutta after the summer vacation I took admission in the M. A. English class of our College and also in the Law class in the Ripon College. The reason for choosing the Ripon College for my law studies was two-fold. The said College was situated within a stone's throw from our hostel. Moreover the Ripon law College held law classes early in the morning and as such attendance at law classes there did not interfere with attendance at M.A classes during the usual hours. But to attend both the classes was a great strain both on my mind and body. Muhammad Ali also graduated with 2nd class Honors in philosophy and studying both M.A. and law. Bazlur Rahman, my old friend was also my classmate again in the Ripon Law college. Professor Jonaki Bhattacharjee was our most renowned law-professor.

In those days the post of a Deputy Magistrate was the highest that a graduate could aim at under ordinary circumstances. As I was an Honors graduate everyone hoped that I would be able to secure an appointment with ease. On returning home during the puja vacation I went to Faridpur and saw the District Magistrate and Collector Mr. Woodhead. Recruitment to the Executive service in those days was by nomination. Mr. Woodhead seemed to be very much impressed with my qualifications but he told me with regret that no recruitment of Deputy Magistrates would be made that year from our district. He said however that he would favorably consider my case if I applied the following year, or if I applied for a post in the subordinate service that very year. I did not feel very enthusiastic about applying for the post of a sub-Deputy Magistrate, but at the advice of my father, father-in-law, Nasir and others I applied. To strengthen my case my father-in-law took me to Dacca to secure the support of Nawab Salimullah Bahadur through a person known to the latter. There was some talk of a general nature and I do not think the interview proved efficacious in any way, except that I got an opportunity to see this renowned personality from close quarters. but I do not know if Nawab Bahadur had kept any note about me.

However, later on I was called for an interview before a committee consisting of the Divisional Commissioner, which made the final selection. The Committee, to all appearances, was satisfied about my suitability.

The Puja vacation over I went to my hostel in Calcutta. I and my friends, Muhammad Ali, Bazlur Rahman and others, held a long conference one day to discuss the question whether we should try to enter Government service or join the Bar after taking the law degree. Our young minds drew a very rosy picture of the glories and thrills of public career and we decided that we should all join the Bar after taking the law degree and should not accept any service.

Sometime after we had taken that decision the names of appointees to the subordinate Executive service were announced. My name was not in the list. But it was no disappointment to me in view of my decision not to go in for service. In one sense it was a relief as it saved me from the disagreeable task of refusing to accept such an appointment. Muhammad Ali received a telegram from Government giving intimation of an appointment as a Sub-Deputy Magistrate, but he stuck to our decision and replied back refusing to accept the appointment. Abdus Sobhan Mahmood who had stood first class first in Mathematics both in the B.A. and M.A. Examinations was appointed as a Deputy Magistrate on the nomination of the University, which was regarded as a coveted prize and he accepted the appointment. He was not however a member of the group that had decided not to accept any Government appointment. Later on Muhammad Ali, Bazlur Rahman and I joined the bar. When I passed the M.A. examination I heard that Mr. Woodhead, who was still posted at Faridpur as District Magistrate enquired whether I would like to apply that year for the post of a Deputy Magistrate, but in view of our decision with regard to the matter, I did not apply.

#### **h. Principal James's Advice**

As I was studying together both for the M.A. and Law (B.L.) degrees I could not pay proper attention to either of the subjects and in fact I was paying less attention to my law studies than the M.A. Course. In view of my decision to enter the Bar I thought that the M.A. degree would not be of much use in my career and I made up my mind to give up my M.A. studies so that I might bestow more attention to my law studies. This would mean my departure from the Presidency College. Before leaving the College I thought of taking a certificate from our Principal Mr. James and once I met him. I told him about my intention and asked for a certificate. Mr. James thought that I had taken a wrong decision. He drew my attention to the backwardness of the Muslim community in education and said that as an Honors graduate I had every chance of passing the M.A. Examination creditably and that an M.A. degree would add considerably to my prestige and would also be helpful in my career I felt persuaded and gave up my intention. I appeared at the M.A. Examination in 1913 and was placed in the 2nd class amongst the successful candidates.

After taking the M.A. degree I wanted to pay more attention to my law studies. But two things stood in the way. My father-in-law who had been financing my studies expressed his reluctance to provide me with further funds on the plea that I could now take up some job and earn the expenses for my studies. He wrote me a pungent letter and I was acutely stung by it. After some effort, I was able to secure the position of a private tutor for the son of distinguished Shia educationist, but the arrangement continued only for about a couple of months. Then I had to take up the position of a private tutor at the house of a hide merchant near Sealdah. They lived in a mud walled house with a tiled roof in which I was given a small room opening on a spacious yard which was used for drying raw hide. In the beginning the stench was unbearable but in the course of time I got used to it. For my baths I used to resort, along with other young

men of the house, to the pond within the spacious compound of the Sealdah residence of the renowned Zemindar Maharaja Manindra Chandra Nandi of Cassimbazar. I lived in this house for two or three months after which I got a job as the Assistant Headmaster of the Laik Jubilee High School and moved to the congenial precincts of my old hostel at 26/9 Harrison Road. The Headmaster Moulvi Mahbubul Huq left the school soon afterwards and I became the Headmaster. But my tenure there was neither long nor peaceful. While I was the Headmaster a major clash developed between the Wakf Committee, which managed the school, and the heirs of Mohammad Laik Choudhury, the founder of the school, with regard to the proprietorship of the school. Abdul Aziz Choudhury, a son of Mohammad Laik Choudhury, was the ringleader on behalf of the heirs. Although legally the Wakf Committee stood on a secure ground, their opponent Abdul Aziz Choudhury was a bully and he forcibly took possession of the institution after a gruelling struggle lasting for several weeks. Since I was siding with the Wakf Committee I had to leave when the school was forcibly taken possession of by Abdul Aziz Choudhury.

The kind of life I lived during these hectic months was not at all conducive to my law studies. I left the Laik Jubilee School in April or May, 1914 and soon afterwards the summer vacation came. I went home for a brief period and returned to my hostel in Calcutta to prepare myself for the final Law Examination to be held in July.

But the hostel was then empty on account of the vacation and even the cook and the boy servant had gone on leave. I had to purchase my food from dingy eating establishments at Sealdah and I was lucky that my health did not entirely breakdown. I however, used to study hard, though it was impossible to fully recover the lost ground. However, I did fairly well in the examinations and passed in the 2nd division standing thirty seventh amongst near about 500 successful candidates.



## CHAPTER III PROFESSIONAL LIFE AND POLITICS

### **a. Rabea, My Wife**

My wife's original name Rahatunnissa was changed to Rabea after our marriage. This was appropriate as she was the fourth daughter of my father-in-law. My father-in-law had three children, all daughters, by his first wife after whose death he married my mother-in-law, daughter of Munshi Tamizuddin Mollah of Kalikapur under the Pangsa Police station of Rajbari Subdivision, The three elder step sisters of my wife who were much older than Rabea had been married long before. Rabea was the first child and the only daughter of my mother-in-law; her three other children being all sons. Muhammad Abdul Quader was the eldest, Muhammad Abdus Samad, the second and Muhammad Abdul Ghani the third and the last. At the time of my marriage Abdul Quader was about nine years old, Abdus Samad about five and Abdul Ghani only a few months old. As no child was born to my mother-in-law for some years after her marriage, she was probably suspected to be barren and at the desire of his parents, my father-in-law married another wife who hailed from Ujanchar under the Goalundo Police station. At the time of my marriage she had a son named Abul Hossain aged about five years. Another son, Nadu Hossain was born to her later on.

My father-in-law had two step brothers Mohammad Kasiruddin and Mohammad Chiniruddin living in the same house with their respective families in different compounds and in a separate mess. The family of another brother who was dead, also lived in the same house. Mohammad Asiruddin aged about 18 was the only son of this brother. Mohammad Ismail, aged about 25 was the son of Mohammad Kasiruddin.

Ishan Chandra Das, a fisherman by caste was rent Collector and clerk to my father-in-law. There was a considerable number of fishermen families in the village and there were also some caste Hindu families. My father-in-law was the most influential man in the village. He was also the Headman of the locality, called Panchayet in those days. Although the term Panchayet indicates a Committee of five headmen, in those days the function of the Committee devolved on one man called the Panchayet. It was a Government recognized honorary office and the "Chaukidars" (village security guards) of the entire area were under his control. My father-in-law who was a qualified homoeopathic doctor had the reputation of being a good physician but he had given up the practice of medicine as a profession and used to give free advice and also medicine to patients coming to him for help.

Easin Ali Khan, a very meritorious student of a High English School at Rajbari was the private tutor of my young brother-in-law as well as of my wife. Gradually a close friendship grew up between him and me. After graduation he became the Headmaster

of a High School and died at a comparably young age. After Easin Ali had gone elsewhere on passing the Matriculation Examination another High School student named Afeluddin Ahmed hailing from the district of Dacca was appointed as the private tutor of my brother-in-law but not of my wife, who had grown older now and was not allowed to appear before strangers, After Matriculation he took up a clerical job under the Government and has now retired.

After my marriage I availed of each College vacation to pay visits to my father-in-law's house and I was treated with affection and respect not only by the members of the families living in that big house but also by the neighbors, My cousins-in-law, Mohammad Ismail and Asiruddin and their wives became particularly friendly to me. The rest were either elderly people or youngsters. My brothers-in-law who were mere children and other cousins-in-law of similar age became very devoted to me.

Rabea had a cousin nick named Massi of about her own age, who was a younger sister of Mohammad Ismail. They were close friends.

I had seen Rabea only at the time of marriage and naturally there was a yearning in me to see her. But hardly any such opportunity occurred, as, according to village tradition she was ever watchful to elude my presence and even my eyes. About a couple of years after the marriage she was caught unaware in the big western house and I had a full view of her countenance. But it was momentary since Massi seeing me enter the house alerted her by giving out the startling cry, "Chatoo (my wife's nick name) run away, you are done for"- and she fled away with lightening speed.

I also felt a great urge to communicate with her, but no ordinary mode of communication was available to me. To speak to her was out of the question as we never met. If I wrote to her it was more than certain that she would never reply on account of fear of exposure. Moreover, local tradition would be outraged if such communication was discovered and Rabea would be the laughing stock of her friends. So an ingenious mode, far removed from the direct objective suggested itself to me. Rabea occasionally used to go by train to her maternal uncle's house near Pangsa. I invented a fiction that a Hindu girl named Monorama had met Rabea in a railway compartment during one such journey and as Rabea looked exactly like Monorama's younger sister who was dead, the latter felt an instinctive affection for Rabea and the two became very friendly during the journey. I developed this central idea with circumstantial details and from my hostel in Calcutta I wrote a series of long letters with my left hand to avoid detection, to Rabea, posing myself as Monorama. I came to learn later on that repeated letters like this made Rabea believe that she had actually met such a girl in the train. the letters were seen also by others including my father-in-law who wrote to Nasir on the subject. Nasir in his turn wrote to me about it and for a time I mentally enjoyed the fun. Ultimately I confided my secret to Nasir. Nasir could never

keep a secret, and, as on several other occasions he exposed me to my father-in-law, and the little episode ended in embarrassment.

Rabea's vigilance to elude any possible encounter with me was apparently due to the disapproval of society of any exhibition of conjugal love. This disapproval probably had its origin in parental jealousy, conscious or sub-conscious. This explains the innumerable instances of inhuman torture of young wives by their female in-law relations, particularly mothers-in-law.

Rabea's shyness urging her to avoid being observed in my company was intensified by the circumstance that she was a mere child, unaware of the significance of conjugal life, whereas in the case of an adult wife conscious of the rewards of marital life such shyness is more or less simulated only to shield herself from the poison of malign eyes.

Some period after the marriage there were occasions when I met Rabea and I was successful in being friendly with her by talking with her on such subjects as her cats, the family dog, her friends and play mates and so many other trifles in which she was interested. The "letters of Monorama" were written to her after I had succeeded in disarming her fears and suspicions about me, whatever these might have been, and after I had won her full confidence.

It is not to be supposed that only the seemingly softer sex was influenced by the social grimace at daylight evidence of conjugal love. It was a scarecrow also to the opposite sex. I was particularly susceptible to it being naturally of an exceptionally mild disposition. This induced me one day to resort to a course which no other male would have thought of. I was on my way home from my father-in-law's house. I had walked to the Rajbari Railway station at about mid-day to avail of the train for Khankhanapur, my home village. Through an act of misjudgment I missed the train. The obvious course for me was to go back to my father-in-law's house and postpone my departure for home by a day. But I thought the people of my father-in-law's house particularly the wives of my cousins-in-law might take it that I had purposely missed the train for the sake of my wife, and I preferred to walk home, a distance of about eight miles, scorched by the burning sun.

This hide-and-seek game continued for several years and contributed largely to the deep mutual devotion that developed in the course of time. When she was mature in years her figure was tall and slim. Her physical charms faithfully reflected her inner qualities of head and heart. I considered myself fortunate to have her as the companion of my life. My devotion was intensified by the feeling of gratitude to my father-in-law, but for whose financial assistance my educational career might have been prematurely cut off. My mother-in-law was also very affectionate and out of her own savings she occasionally gave me some extra-money to supplement my pocket expenses, during the years of my studies after the marriage.

During the years of my studies whether at Cooch Behar or in Calcutta all communications between me and my family used to take place through Nasir. One tragic event took place in our family while I was studying for M.A. and Law in Calcutta. Nasir wrote to me that my youngest brother Tafazzal had died of dysentery. It was a great shock to me. I came to learn later on that the poor child was not given proper treatment.

After passing the Entrance Examination and having failed to secure a Government appointment in the Police Department on account of his conviction during the anti-partition agitation, Nasir took up appointment as a teacher in the Khankhanapur H.E. School and began to study law privately with a view to appearing at the "Mukhtarship" (legal profession below that of a lawyer) examination. While thus engaged Nasir was involved in a serious family quarrel which affected him so much that he refused to have meals in his own house and made an arrangement to have his meals at our house. This was no doubt a botheration for him to come to our house and go back several times every day defying sun and rain, but he was of a very obstinate and tenacious nature and he did this for a year or so. He acquired the reputation of a successful teacher. He was however a very stern teacher and was a terror to his pupils. In due course he passed the Mukhtarship examination and joined the criminal bar at Faridpur in 1914. He took up residence in a mess located at a house belonging to Moulvi, (later on Khan Saheb) Wahidunnabi, adjoining the house of Moulvi Abdur Rahman, B.L. a very reputed and the only Muslim lawyer then of the Faridpur District Bar.

#### **b. Faridpur Zilla School**

After having sat for the final law examination in July or August, 1914 I returned home from Calcutta. I saw in a newspaper an advertisement for a teacher in the Faridpur Zilla School, a Government institution, and sent in an application intending that I would work as a teacher pending announcement of the result of the law examination and preparation for joining the Bar. Thereafter I went to the house of my father-in-law.

My Cousin-in-law Mohammad Ismail had lost his loving and charming wife and he was to marry again. The date of the marriage had already been fixed and I accompanied the bridegroom's party to the house of the bride's father near Bheramara Railway station in the district of Nadia. While I was there our domestic servant Meghu unexpectedly went to the house with a telegram for me. The telegram said that I was appointed as a teacher in response to my application and was asked to join immediately.

I went to Faridpur at the earliest opportunity to join the appointment, but I found that the Headmaster, Ishan Chandra Ghosh, was reluctant to allow me to join on the plea that he had received no information from the Department. Ultimately I gave him a covert threat and asked him to tell me in writing that he could not allow me to join

unless informed by the Department. This had a miraculous effect and he quickly allowed me to join. My qualifications and my work very soon made me popular amongst the students and the staff. The Headmaster however, on account of the confrontation I had with him at the time of joining, seemed to be unfavorably disposed towards me, I fought him successfully on a second occasion in respect of my right to be the examiner of candidates for a scholarship examination.

I began to reside at the same mess where Nasir was staying. I made the acquaintance of Moulvi Abdur Rahman, pleader, Moulvi Abdul Ghani, Abdul Aziz Choudhury, Faizuddin Qazi, Kaloo Meah, all Mukhtars and of many other gentlemen of the town. The Government took several months in fixing my salary and I drew my salary together after about four months at the rate of seventy five rupees per month as settled by the Government. All the money was given me in silver rupee coins -- one rupee paper notes not yet having been invented-in a cotton net bag. It was a heavy load and never before I had handled so much money together. When I took the load home in due course my parents and aunts were very much pleased to see the money. The money was given to my aunt Sabja who was the treasurer of the family and she remarked that she now realized why her palm had been of late itching.

While I was in the school the result of the law examination was out. Moulvi Abdur Rahman who became very affectionate towards me was very glad to see that I was placed fairly high in the list of successful candidates. Another Muslim candidate Harunar Rashid, who belonged to the same district and who was then a Sub-Inspector of Schools, also passed the law examination the same year.

Some months passed in making preparations for joining the Bar and it was in January, 1915 that I actually joined after resigning my position as a teacher.

The first world war had already broken out. When the teachers used to assemble together in the Teachers' Common Room the main topic of conversation was the progress and fortunes of the war. Even at this early stage of the war, it was evident that public sympathy leaned towards Germany.

### **C. I Join The Bar**

Some months passed in making preparations for joining the legal profession and it was actually in January, 1915 that I joined the Bar. I had to resign my job as a teacher about a couple of months before to be able to apply for a lawyer's license.

After I had joined the bar, Nasir and I together rented another house belonging to Moulvi Wahidunnabi, which adjoined the Kotwali Police station and faced a big Municipal tank to the north.

The first few years of my professional life were years of great struggle. No Hindu lawyer would patronize me, although many of them appeared to like me very much personally. Moulvi Abdur Rahman, the only senior lawyer amongst Muslims was an invalid. He had been crippled by gout and had to be lifted by two men into and out of carriages and also carried to and from court-rooms where he used to conduct his cases sitting down either in his chair or on the table. The circle of his clientele was therefore, necessarily limited and he could only help me with his sound advice when sought for. Nasir who had joined the criminal bar earlier could sometimes help me with small briefs. Somewhat spectacular success in some cases both civil and criminal and the fact that I was the only promising Muslim lawyer at the Faridpur Bar gradually established my position. Moulvi Harunar Rashid also joined the Bar sometime after me, but he could not make any headway and after some years, succeeded after a great struggle in securing an appointment under the Court of Wards.

Less than a year after my joining the Bar, when my income had somewhat increased, I shifted to an independent pucca house of late Kazi Hassanuddin, which I rented. Soon afterwards my wife came to that house. My brother-in-law Muhammad Abdul Quader who was a school student had come to stay with me even while I was living jointly with Nasir. After I had shifted to my new house, I brought my younger brother Abu Ahmed Khan to my place and got him admitted in the Faridpur Zilla School. As my reputation was increasing I began to be looked upon as a prospective Government Pleader. The then Government Pleader, Srish Chandra Banerjee, expressed his opinion to this effect to a friend of mine.

It was probably towards the end of 1915 that I received information about the recruitment of a "Munsif" and rather in a half-hearted mood I sent in an application. Munsifs were in those days appointed on the recommendation of the High Court. According to rules I had to append with my application a certificate from the District Judge, Rai Bahadur Sarada Charan Sen was then holding this office at Faridpur. Although I had successfully appeared in a number of cases before him he gave me a most disappointing and colorless certificate which could hardly be of any help to me. Apart from the general prejudice against Muslims, I heard that Sarada Babu had a relation as a candidate from another district and since only one appointment was to be made, this was supposed to be the cause of his giving such a disappointing certificate to me.

I am reminded of a curious happening in the course of my pursuit of Munsifship. Many respectable clients, mainly for want of suitable accommodation at the ill- equipped Faridpur town used to be my guests. One frequent guest was Moulvi Abdul Quader, a Mukhtear of Gopalganj, who was also a member of the Faridpur District Board and had to come to Faridpur almost every month to attend meetings of that body. At the time I had to go to Calcutta for the purpose of an interview before a Committee of two High Court Judges, Moulvi Abdul Quader was a guest at my Faridpur house. The night

before the date of my starting for Calcutta I had a long rambling conversation with him, in the midst of which one of the subjects discussed was the habit of some old people travelling by train, to go to the railway station concerned an unusually long time before the scheduled time. I characterized such habit as foolish particularly on the part of educated people who have watches to indicate the proper time, whereas Moulvi Abdul Quader supported the opposite view, observing that it was a wise practice since sometimes unforeseen obstacles intervene. In my youthful exuberance, I doggedly maintained my own point of view and the discussion ended inconclusively. The next night when I had to start by the train then leaving at about 10-30 P.M. Moulvi Abdul Quader was at my house. A little before 10 P.M. I sent my servant to fetch a hackney carriage. After an unusually long time he returned unsuccessful and said on account of some Hindu festival no carriage was available. Then I sent my clerk and he succeeded in fetching one. I hurried to the station only to see that the train had already left. I had only a handbag as my luggage as my intention was to stay in Calcutta only for a day. While I was getting down from the carriage with the bag in my hand, the cabman who knew me asked if I would not go back to my house and I said, 'no', giving him an evasive excuse. I had not the courage to encounter Moulvi Abdul Quader with the stigma of such an ignominious defeat. I would be too late for my interview if I failed to reach Calcutta next day and I forthwith decided to walk along the railway track to my home at Khankhanapur, a distance of 10 miles and avail myself of the midday train next day to be able to reach Calcutta in the evening. A few miles from Faridpur I encountered a most critical situation involving danger to my life. At Gandia I had to cross a long railway bridge on the river Kumar. I was horrified to find that the planking on the bridge providing a foot-path for pedestrians was absent and it was an impossible proposition for me to attempt jumping over the slippers. The alternative of going back to Faridpur was unthinkable. The other alternative was to risk my life. After some deliberation I devised an awkward but a less risky method. I decided to walk over the bridge in a sitting posture. With the bag in my right hand and supporting myself with my left hand gripping one of the two lines of iron rail, I labored my way forward from slipper to slipper, and completely exhausted I halted several times on my precarious perch almost despairing of success. When I found myself on the other side of the bridge I was on the verge of collapse, soaked from head to foot with perspiration and my heart was pounding so violently as though it might stop any moment. The rust that my left palm gathered from the iron rail took several days to obliterate. After about half an hour's rest I felt greatly restored and resumed my forlorn journey under the glorious blaze of the full moon, it being the night of Dol-Purnima, a Hindu festival. I was extremely thirsty. Luckily, when I reached the Shibrampur Railway station, about 7 miles from Faridpur, I found that the station master, who was a Muslim, was still at his desk at the station and he gave me refreshing filtered water to drink. I reached home at about 3 A.M. and to my father's question about the reason for such untimely arrival I gave the simple reply that I had missed the train.

Next day I reached Calcutta and appeared for the interview the day after. I was asked one or two laconic questions and was sent away with one of the judges remarking "Well, Mr. Khan, we wish you well at the bar." This was indicative enough, but there was hardly any sense of disappointment in my mind.

Shortly after joining the Bar I was nominated by the Government as a Commissioner of the Faridpur Municipality. The majority of the members were elected on a restricted franchise. There was a keen struggle for the Chairmanship between Babu Mathurnath Maitra and Babu Purna Chandra Maitra both of whom were top ranking lawyers of the Faridpur bar. The Commissioners of the Municipality including the nominated ones were almost equally divided in this contest. As one single vote might decide the issue, as the only uncommitted Commissioner I was subjected to great pressure from both sides.

In this regard Mathur Babu stole a march over Purna Babu by arranging to take me one day to Babu Ambica Charan Majumdar his patron, who requested me to support Mathur Babu and further suggested that I should stand for the Vice-Chairmanship on assurance of support from their party. I had no such ambition at all so early in my professional career and was hesitating to stand for the Vice-Chairmanship though I was inclined to support Mathur Babu whom, on account of his amiability and catholic outlook I liked better than his rival. Ambica Babu, however, went on arguing that he had great expectations in me and wished that I should agree because it would give a good start to my career, I agreed.

The other side was not to be easily out-bid. They approached me through various channels with a similar offer and not seeing any sign in success ultimately managed to influence my father-in-law who sent his clerk Ishan Chandra Das to me with a personal letter asking me to support Purna babu. This placed me in an embarrassing position though I knew that I could never go back on my word of honor. Mathur Babu, coming to know about this pressure on me, adopted, through certain Zemindary agencies, counter measures so as, ultimately to induce my father-in-law to write me another letter saying that I might support whom-so-ever I liked in the contest. In due course Mathur Babu was elected as the Chairman and I as the Vice-Chairman. Shortly afterwards, I was elected as a member of the Faridpur District Board also by the Goalundo Subdivisional Local Board. I paid due attention to the public duties which thus devolved on me, though this meant a substantial cut from the time which I might otherwise devote to my profession. The office of the Municipal Vice-Chairman, notwithstanding the prestige it carried was not a bed of roses. I was in charge of finance and conservancy. It was a difficult job to keep the sweepers under control. They were will addicted to liquor and as such hopelessly improvident. I found that they were all indebted to a money-lender who charged exorbitant interest and like a dreaded demon used to be invariably present on pay day and take almost the entire salaries of these



unfortunate men and women in satisfaction of his dues, and make cash advances almost immediately afterwards.

Tax assessment and collection was another difficult and disagreeable task and I incurred the displeasure of several influential persons on account of my strictness in this regard. On one occasion I issued warrants for collection of dues from some confirmed defaulters amongst whom was a prominent member of the Bar and created for me a veritable hornet's nest. I was badly mauled, but I got the tigers to pay up their arrears.

#### **d. Tragedy in The Family**

It was probably in 1916 in the Bengali month of Bhadra that my dear aunt Khodeza passed away. During her illness she showed me secretly a spot in the western hut where she lived, where she had money buried in the ground. After her death, to the surprise of the family, the money amounting to Rs. 300 or so was dug out. The money was supposed to represent her savings from her earnings, earlier in life, from spinning cotton yarn. In her I lost a second mother and my grief was deep and prolonged.

In 1916 Rabea gave birth to twins a boy and a girl at her father's house. I was at that time at Faridpur and it so happened that my father-in-law wrote to me about their birth after the babies had died. The elder one, the boy, died on the 2nd day and the other the day following. I went to my father-in-law's house on receiving the sad news and found my wife completely devastated. The babies turned blue and expired.

Rabea told me of a startling incident while she had been in an advanced stage of pregnancy. While she was crossing the inner courtyard from one house to another in broad daylight a snake suddenly emerged from somewhere and turned itself around her legs. She screamed in horror and jerked her legs whereupon the snake unloosed itself and crept away. Snakes are believed to suck milk from mulch cows during night time by twining round the hind legs of the animals and leave evidence of such sucking in bloody pricks on the teats of the cows. The snake that tormented Rabea probably had the same purpose in mind, but superstition builds up various theories around such strange happenings.

Rabea went to Faridpur after her recovery and some months thereafter Nasir's marriage took place. Nasir left the entire arrangements to me. The bride, a beautiful young girl, was the daughter of a railway officer who was then posted at Kalukhali Railway station. The ceremony took place at my house and Nasir's entire family including his mother and widowed sister was at my house in that connection for about a couple of months. Rabea had a very hard task during the entire period. My father and Nasir's maternal uncle, Khandkar Rahmat Ali came to my house on the occasion. Nasir's marriage was a very happy one. But his wife died three or four years after the marriage, of 'kalaazar' leaving a son only about a year old. About a couple of years thereafter he married again

the eldest daughter of Munshi Zainuddin, a rich and respectable gentleman originally coming from the district of Dacca and settled in the town of Barisal. Nasir had two daughters by his second wife, Suria and Nuria.

Our third child, a daughter was born at my father-in-law's house in June, 1920. In his letter giving me this happy news my father-in-law described the baby as "Sarbangasundar" (beautiful in all respects). I went there immediately to see the child. When the baby was a few months old Rabea went with her to my Faridpur house. She was named Shamsun Nahar and was also given the nick name Champa.

While Champa was in her mother's womb a mishap occurred again. The clothes Rabea was wearing had accidentally caught fire and she was badly burnt. Her life itself was endangered and it took her about three or four months to recover from the burns.

Shortly after I had joined the bar my younger brother Abu Ahmed Khan and my sister Jobeda alias Kamala came to live with me at Faridpur. Abu was admitted at the Faridpur Zilla School. Jobeda studied privately at home. She grew up to be a maiden of extraordinary beauty and of an exceptionally sweet disposition and was an object of joy to the entire family. We were all anxious for a suitable marriage for her. At length through Nasir's good offices her marriage was settled with Mohammad Rafiquddin Khan, a civil court clerk hailing from Fukura, a village in the Gopalganj Sub-division of our district. The marriage was celebrated at our house at Khankhanapur. Rafiq proved to be a very affectionate husband to Jobeda. A warm friendship grew up between him and me. But the happiness was short lived. After about three years of the marriage one day information reached me that Jobeda was seriously ill at our house at Khankhanapur. Taking Rafiq with me I started for home by the next available train and when we were hurrying homewards, a fisher-woman we met on the way near our house gave us the shocking news that Jobeda was no more. My heart sank within me. At home I learnt that she was attacked with a virulent type of cholera. Rafiq several years later, married a widowed cousin of my wife.

In September, 1919, the greatest cyclone I ever saw took place. It was not at its severest in our locality, but even then it was a terrible experience. Although I was living with Rabea at a pucca house, the fury of the wind and rain kept us awake during the dismal night of the storm. I had great apprehensions for the family of Nasir living in a katcha house. My apprehensions proved to be true. Early next morning the entire family shifted to my house, because Nasir's house had collapsed. Luckily no one was injured. They lived at my house until their house was re-erected by the owner Moulvi Wahidunnabi.

The strict religious discipline under which my father brought me up in my childhood has already been described. I passed through a distressing period of great doubt while I was a student of the two topmost classes in the High School. The doubts were gradually

dispelled and while I was at Cooch Behar the piety of my patron Choudhury Amanatullah and Moulvi Abdul Halim made a great impression on me. I did not however observe the rituals very much either at Cooch Behar or in Calcutta.

While in Calcutta one day I casually met my old Persian teacher Moulvi Mohammad Ismail at College Square. He took me to his Pir (spiritual guide) Shah Barkatullah Saheb who had his 'Khanga' east of the Square and abruptly asked me to be initiated as a disciple of the Peer Saheb. My mind was not at all prepared for it, but having not the heart to disoblige my teacher for whom I had great respect, I went through the simple process of initiation. Immediately afterwards, in apparent hurry the Peer Saheb enjoined upon me in a perfunctory way certain practices which did not then appeal to my reason and nothing came out of it. Shah Barkatullah Saheb was one of the few most reputed Pirs in Bengal.

When I joined the Bar, as during my College life, I was a clean shaved young man. About a year after joining the Bar I felt tempted to grow a beard. When the beard was a few weeks old I had occasion to preside over a religious meeting which was addressed, amongst others, by Moulvi Khabiruddin who was a powerful speaker. He lavished exuberant praise to my beard before the large gathering and further said that he was fervently praying that I might be steadfast in this matter. I was greatly influenced by this and became thence forward a confirmed bearded man. It was later on that I had a better realization of the spiritual significance of wearing the beard.

I attended many such meetings and amongst the prominent preachers of those days, besides Moulvi Khabiruddin, with whom I became particularly familiar, were Moulvi Wazuddin of Talena who died prematurely, Moulvi Syed Abdul Ghani surnamed "Hafez-e-Masnawi" who also died young and Moulvi Shamsuddin Ahmed of Baira, Dacca. I became particularly friendly with Moulvi Habibur Rahman, Khandkar Abdul Aziz, both of whom were good speakers, Munshi Abdur Rashid of Kamarpur, who was a most enthusiastic, sincere and public spirited man, though greatly advanced in years, Hafez Mohammad Ibrahim, a staunch supporter of all good causes, Khandkar Abdul Gaffar, Mohamad Osman Khan, Khandkar Abul Kasem nick named Nawsha Meah and many others.

Early in my career as a lawyer I attended an educational conference at Barisal. My father-in-law was also a delegate. The Conference was presided over by the veteran Muslim educationist Moulvi Abdul Karim. The prime mover was Moulvi A.K. Fazlul Huq and Choudhury Mohammad Ismail was the principal host. I took an active part in the proceedings of the Conference.

The Praja Conference at Faridpur was organized by me at the advice of Khandkar Naziruddin Ahmed of Pangsa, a good speaker and then a Praja leader. This was the first time that I attempted to organize a conference like this. The Conference was

planned on an ambitious scale. I was the Secretary of the Reception Committee with Babu Dinesh Chandra Sen, a prominent lawyer as the Chairman. The Conference was to be presided over by Mr. J.N. Roy, a Barrister of the Calcutta High Court. The announcement of the conference created great enthusiasm amongst the tenants and their supporters. I removed my family to Nasir's house to make my house available to delegates coming from other districts. But our plans met with an unforeseen disaster. It was the month of March. The day previous to the conference a severe storm, a norwester blew away the pandal and dislocated other arrangements. The weather was bad also on the day of the conference, which was held in a smaller and a half-finished pandal. A large number of delegates including hundreds of Namasudra tenants attended. Besides the President of the Conference, amongst those leaders who came from Calcutta was the renowned literature and humourist Babu Panchcowrie Banerjee, editor of the Bengali daily called "Naik". His speech was very much appreciated.

One of the persons who sincerely helped me in piecing things together after the havoc of the storm was Moulvi Ahmed Ali Mridha, B.L. pleader of Rajbari. Thenceforward he became a particular friend.

Though the conference proper was a success there were shortcomings in many other respects mainly due to the untimely storm. It was ultimately found that the expenditure had exceeded the collections made and there was no means of paying outstanding bills for about Rs. 200 -- I had to borrow the money from Moulvi Abdul Aziz Choudhury, the most prominent Mukhtear of Faridpur at the time, on a bond to be able to pay up the bills. I repaid the money gradually in a number of monthly installments.

#### **e. I Join The Moslim League**

After the establishment of British rule, the first and for two decades the only political organization in India was the Indian National Congress which was established in 1885, about five years before my birth. It is an irony of history that the illustrious Muslim leader Sir Syed Ahmed Khan who successfully advised Muslims to keep aloof from the Congress, gave, through his writings in his book named "The Causes of the Indian Revolt" (The Sepoy Mutiny) the inspiration that resulted in the birth of that organization. In this book he deplored the conditions then prevailing in the country, under which the people "had no means of protesting against what they might feel to be a foolish measure or of giving public expression to their own wishes" and "no real communication between the Governors and the governed". Allan Octavian Hume, who played a conspicuous part in the establishment of the Indian National Congress admitted that it was after reading Sir Syed Ahmed's book that he "first felt the need for having a forum of public opinion in India and eventually the Indian National Congress came into existence".

Sir Syed Ahmed however had no faith in a common organization for Hindus and Muslims. His rare insight convinced him that the Hindus and the Muslims were two

separate nations, as he said in so many words in the course of a speech in 1883, and further observed that supposing that the Britishers withdrew; these two distinct nations could never rule India jointly and it would be necessary "that one of them should conquer the other". A common political organization had no prospect of ultimate success and Muslims generally kept aloof from it. In 1906 amongst the 756 members of the Indian National Congress there were only 17 Muslims. Nor was the attitude of the then British Government conducive to the idea of Hindus and Muslims entertaining a common objective for the attainment of which they might work together in a joint organization.

The Partition of Bengal in 1905 had taken place under the aegis of a British conservative Government. In 1905 the Liberals came into power in England with Sir Henry Campbell Bannerman as Prime Minister and Mr. John Morley as Secretary of State for India. This new Government was pro-Hindu and pro-Congress in its sympathies and there were evident indications of a move "to appease the Indians" by undoing the partition of Bengal. These forebodings naturally alarmed Muslim leaders who saw in the partition of Bengal the only substantial measure in favor of the Muslims since the meeting. In these circumstances they were convinced of the imperative need for a separate organization for the Muslims.

The main initiative for the establishment of such an organization was taken by Nawab Salimullah and on December 30, 1906 the All India Muslim League was formed at Dacca.

After my participation in the anti-partition agitation I took no active part in politics till I joined the Bar. While I was still a fledgling in my profession, in the autumn of 1915 I got a letter from the Secretary of the All India Muslim League informing me that I had been elected as a member of the organization and that I should send as soon as possible the annual subscription of Rs. 20. I felt elated at this distinction, -- there being no other member at the town of Faridpur and probably none in the entire district -- and sent the subscription by money order though it was hard for me in those days to spare such a substantial amount. In those days members were elected to the Muslim League at meetings of its Executive Committee.

For many years however I was to all intents and purposes only a nominal member of the Muslim League, not having the means to attend its annual sessions. The only part I took was to express my opinion in writing about draft resolutions sent to me for the purpose, from time to time. Neither the Muslim League nor the Congress was a mass organization in those days.

The Muslim League had no district branches in those days. At least there was none at Faridpur. Local interests had to be looked after through other organizations.

The urge that was responsible for the establishment of the Muslim League was present in the minds of the Muslim intelligentsia throughout the country. The British and the Hindu attitude towards the Muslims had convinced them of the necessity of collective and concerted action in their own ranks for the sake of self preservation and this consciousness resulted in the establishment of Muslim Associations under the name of Anjuman-i-Islamia almost in all the districts of the Province even before the formation of the All India Muslim League.

There was an Anjuman-i-Islamia at Faridpur also and Moulvi Abdul Ghani who was later on made a Khan Bahadur was the Secretary of the Organization. He was a Mukhtear and was the foremost amongst the few Muslims at Faridpur, who had an urge for active public work. He was an ultra loyalist and his loyalty stood him in good stead in the advancement of his worldly future.

Early in my career as a lawyer I had a discussion with him about the Anjuman-i-Islamia which had no constitution nor even any rules of business. The office-bearers were more or less permanent incumbents. Nor was there any register or list of members. When necessary Moulvi Abdul Ghani used to ask a few prominent Muslims to assemble in his bungalow for passing resolutions on certain matters generally at telegraphic requests from Nawab Salimullah, who was the recognized leader of the Muslims. I pleaded with him unsuccessfully to bring about necessary reforms in the Anjuman so as to make it a more broad-based and representative body. He was extremely conservative in his views. He also rejected my suggestion that the prominent Muslim shopkeepers of the place should be taken into the organization, on the plea that the presence of such lowly people would reduce the prestige of the Anjuman.

As I was very eager to do some public work and as I found that it was not feasible to do so effectively through the Anjuman-i-Islamia unless certain reforms were made, which seemed to be a forlorn hope in view of the attitude of the Secretary who was the life and soul of the body, I consulted my friends including certain shopkeepers about the formation of a new organization. I got a very encouraging response. Moulvi Abdul Ghani came to know about this somehow and apparently asked for help from the Sadar S.D.O., Babu Nabagopal Chaki, who sent for me and had a long talk with me on the subject. He was a very well-educated and tactful man. He expressed the view that it might be harmful if a separate rival organization was set up and that if I joined the Anjuman, knowing Moulvi Abdul Ghani and me, as he did, he was sure that I would succeed in bringing about necessary reforms in the body from within. I took his advice and joined the Anjuman.

Nabagopal Chaki was perfectly right and within a couple of years, not only the contemplated reforms were carried out but the Anjuman became a very popular and influential organization and I was unanimously elected as the Secretary with Moulvi Abdul Ghani as President. These changes were brought about in a smooth and peaceful

manner and rather than any ill feeling arising between Moulvi Abdul Ghani and me, the former began to look upon me as an asset and I too had a reciprocal respect for him. The membership of the Anjuman spread over the entire district and in all the four Subdivisions, branches of the Anjuman were established. Apart from the annual sessions which were very big shows, periodical public meetings were held, in which prominent speakers of all Bengal reputation were invited to deliver lectures. The Prophet's day was celebrated under the auspices of the Anjuman on a grand scale.

I found that there was a great need for a mosque near the courts, for want of which Muslims were greatly suffering and I heard that all previous attempts for the establishment of a mosque had failed. The question was taken up through the Anjuman, but the main stumbling block was that there was no private land in the vicinity of the courts and the Government was not prepared to grant any land for any religious purpose. Efforts however were not given up.

In later years when the influence and prestige of the Anjuman increased further the Government gave that body the unique privilege of nominating candidates for appointment of Muslim marriage Registrars and Kazis. I had an unfortunate clash with Moulvi Abdul Ghani over the matter. One year, there was amongst the candidates a person who belonged to the weaver community. It is an unfortunate fact that the shadow of Hindu caste system overtook the Muslim society of India at least to the extent of ostracizing the weavers and few other classes, though Muslim in respect of the privilege of intermarriage. Since the weaver candidate had the adequate qualifications I took up the stand that to dispel any suspicion that he was discriminated against on account of his birth in a particular professional group he must be given a nomination. Moulvi Abdul Ghani vehemently opposed the proposition on the plea that it would mar the prestige of marriage Registers as a class. I staked my position as Secretary on this grave issue and through the grace of Allah I succeeded.

#### **f. The First World War and Ourselves**

The anti-partition movement (1905-6) had made the people, particularly, the Hindus bitterly anti-British. So, when the First World War began in 1914, the Hindus in general, in their heart of hearts gloated over British reverses and desired victory for the Germans. A series of Allied reverses had generated a belief that the Kaiser and his Germany were invincible. The declared policy of the Hindus however, as expressed through their national organization, the Congress, did not accord with this popular feelings. Political considerations induced the Congress to declare its support for the British war efforts, but at the same time passed a resolution demanding that in view of this support the British Government should take 'such measures as may be necessary for the recognition of India as a component part of a federated Empire, in the full and free enjoyment of the rights belonging to that status.'

The Muslim League also promised to help the Government. Throughout the decades the Muslims were being used as a shuttle cock by the Britishers. The early period of British rule was a period of ruthless Muslim suppression. When the pampered Hindu Community began to show its teeth, a second period of an attempt, mostly half-hearted, to help the Muslims catch up with the Hindus commenced. The climax of this period was reached during the regime of Sir Bambfield Fuller as Lieutenant Governor of the short lived Muslim majority Province of Eastern Bengal and Assam. The reverse gear the pompous Darbar at Delhi dramatically announced the annulment of the partition. The Muslims took this as a death-blow. It was a bolt from the blue because on October 1, 1906 when apprehending that the British Government might appease the Hindu Congress by annulling the partition of Bengal, 35 leading Muslims headed by the Aga Khan went on a deputation to Simla to the Viceroy Lord Minto and secured an assurance to the effect that the 'political rights and interests' of the Muslims, "as a community will be safeguarded in any administrative reorganization with which I am concerned." Though the language of the assurance was equivocal and it received a seeming respect in the establishment of a University at Dacca and in adjusting the boundaries of the new province of Bengal in such a way as to give the Muslims a slight numerical majority. The Muslims saw in the cancelling of the partition the breach of a solemn assurance and their new found loyalty to the British Raj received a severe shock. The Muslim League modified their erstwhile policy and began to seek avenues of cooperation with the Congress in the common cause of winning self-government, (Swaraj). All the same the Muslims were more sincere in their avowal of support to the British war efforts and amongst the 1,200,000 men combatants and non-combatants who went abroad from India to the different theatres of the war the proportion of Muslims was far higher than that of any other community.

But there was no dearth of shocks for the Muslims. They were stunned when they found Turkey listed amongst of the British. They were thenceforward completely bewildered, but somehow sailed with the current listlessly. Their confidence was later on restored to a large extent by the assurances given to them by Mr. Lloyd George and they continued their support to the allied cause.

The renowned Hindu leader Ambica Charan Mojumdar was from the beginning of the war, a staunch supporter of the allied cause, so much so that he was carrying on a campaign urging the youth of the country to volunteer their services to the army as combatants or to join the labor force. At an early stage of the war he was one day to address a recruitment meeting at Rajbari. I was then at my father-in-law's house, about a mile and half off from Rajbari. Hearing about the meeting I attended it. Ambica Charan Majumdar who was presiding, finding me present asked me to address the meeting, which I did and when I had finished he congratulated me heartily on my speech.



When the war ended in 1918 and the Armistice was signed there were great jublations and it appeared for a time that everybody had desired an allied victory. At Faridpur two thanks-giving meetings were held. One, intended for the intelligentsia was held under the presidentship of the District Magistrate and was to be addressed by two selected persons, one a Hindu and the other a Muslim. I was called upon first to speak and when I did I received great appreciation. The Hindu speaker was a young lawyer who did not make much of an impression. The speeches were in English. The second meeting which was meant for the general public was held in the Town Theatre Hall. I also spoke there and did so, like other speakers, in Bengali. I was well-prepared and my speech was greeted with enthusiastic applause. One official, the Postal Superintendent who amongst other congratulated me remarked, "I did not know that you are so proficient in Bengali also."

As already stated disillusionment at the annulment of the partition of Bengal made the Muslim League realize that the future of the Muslims mainly depended on self-help and inclined it towards cooperation with the Congress. It was most probably this changed outlook of the Muslim League which encouraged Mohammad Ali Jinnah, till then an out and out Congressman, who had earned great reputation as the "Ambassador of Hindu-Muslim Unity", to join the League. At his instance the Congress and the Muslim League met at the same place, viz, Bombay in December, 1915 and top ranking congress leaders like Dr. Annie Besant, Mrs. Sarojini Naidoo and Mr. Gandhi who had lately returned from South Africa, attended the Muslim League session. This Hindu-Muslim reapproachment was further strengthened when the Government of India Act, 1915 was found to fall far short of Indian expectations. A big step forward in this direction was taken in December, 1916 when both the Congress and the Muslim League held their annual sessions at Lucknow. The Muslim League session was presided over by Mr. Jinnah and the Congress session by the veteran leader of Faridpur, Babu Ambica Charan Majumdar. Both the bodies agreed as to the "irreducible minimum" of demands to be made from the Government, and the Congress also made a pact with the Muslim League on the basis of "separate electorate" for Muslims and weightage of Muslim representation in certain provinces in which the Muslims were in a minority. The main credit for this settlement was due to Mohammad Ali Jinnah.

The Congress-League Pact made an impression upon the British Government and on August 20, 1917, Mr. Edwin Samuel Montagu, the new Secretary of state for India made the famous declaration of Policy of the British with regard to India, in the following words: "The policy of His Majesty's Government is that of increasing the association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India as an integral part of the British Empire—" The working of the minds of the British Rulers of India at about the time of this declaration can be gleaned from what the Viceroy Lord Chelmsford wrote to the King on October 4, 1918. He wrote:

"We have here an educated class 95 percent of whom are inimical to us and I venture to assert that every student in every university is growing up with a hatred for us. These are, of course, at present a mere fraction of the population, but each year sees the numbers augmented, and it may well be imagined that their potentialities for mischief is infinite. If we can win these men over to our side, I am convinced that we can only do it by inviting and enlisting their cooperation".

The declaration was hailed with general satisfaction in India. The war was drawing towards its close and indications of an allied victory were evident. Expectations were raised high and hope of great things to follow the conclusion of the war filled the entire atmosphere. But certain disquieting events sounded a jarring note. Whatever might be the outward signs of Hindu-Muslim unity which the Congress and the Muslim League were then attempting to patch up, the causes of disunity were so deep-rooted that the smoldering ashes underneath the smooth crust of amity were likely to flare up at the slightest spark. In 1918 bloody anti-Muslim riots took place in many parts of India over the question of cow-killing. Attempts were made by the votaries of unity to heal the wounds of the riot and luckily the conclusion of the war, which was hailed with a feeling of universal relief helped people forget the bitterness of the riots, for the time being.

## CHAPTER IV INDEPENDENCE MOVEMENT

The British Governments' declaration of policy with regard to the future status of India made in August, 1917 was followed by visit of Mr. Montague, the Secretary of state for India in November of the same year and by the publication of the joint recommendations of the Secretary of state and the Viceroy on July 8, 1918. The First World War ended in November and in December the Congress and the Muslim League met in Delhi to consider the joint recommendations. Although some of the recommendations were of a far-reaching character they fell far short of popular expectations and a resolution was carried at Delhi condemning the proposed Montague- Chelmsford Reforms inspite of the opposition of the moderate section of the delegates, who supported the recommendation.

The resolution created a stir throughout the entire length and breadth of the country and there were hot controversies everywhere as to the adequacy of the proposed reforms. Certain alarming events soon followed which precipitated a crisis.

The Rowlatt Bill sought to give certain extraordinary powers to the Government including the power of arrest and detention without trial, apparently to deal with seditious activities, but in reality to suppress the nationalist movement, came before the Indian Legislative Council in January, 1919 and inspite of vehement Indian protest and the great uproar raised against it, the bill became an Act the following March. Mr. Mohammad Ali Jinnah took this so much to heart that he resigned from the Indian Legislative Council in protest. Mr. Gandhi took a far more serious step. He called upon the people to join a "Satyagraha" movement of non-violent civil disobedience, which required those who joined the movement to disobey the Rowlatt Act if applied to them. The movement received widespread support, but it gave rise to serious disturbances, mainly in the Punjab. Mr. Gandhi who was at the time in Bombay wanted to go to the Punjab to deal with the situation but on April 7 he was forbidden entry and the police escorted him back to Bombay. On the 9th two Hindu Congress leaders were arrested for deputation and for making inflammatory speeches. These activities of the Government gave rise to formidable rioting in the city, in the course of which certain European bank officials were killed and an attempt was made to set fire to the railway station. On the 11th, the British Commander of the Jullander Brigade, Brigadier General R.E.H. Dyer was directed to deal with the disturbed situation. An order was promulgated prohibiting public meetings. But the people were not in a mood to obey this order. On the 13th April a vast crowd of several thousand people, both Hindus and Muslims including a large number of children assembled at a place called Jallianwalla Bagh in Amritsar, Punjab which was an enclosed area with only two narrow ways of entrance

and exit. To uphold the supremacy of law and to make a demonstration of British might and above all, to curb forever the increasing spirit of defiance amongst the people, General Dyer ordered the troops under his command to open fire. Within seconds Jullianwalla Bagh became a lake of blood. About 400 were killed and 1200 wounded. Martial law was proclaimed in the Punjab and for enforcing it the people were subjected to the most inhuman humiliation. As the news spread, it created countrywide feelings of outrage. Mr. Gandhi felt impelled to cut off the passive resistance movement, but taking advantage of the feelings raised by the Punjab atrocities he started a more subtle and effective movement. He had only one obstacle in his way. He was par excellence a Hindu and his saintly qualities coupled with his championship of the 'cow' made him almost an "Avatar" (Incarnation of God) in the eyes of his co-religionists. But he had hitherto no hold upon the Muslim masses. Now an international event helped him in this regard also and almost overnight he became a hero also to millions of Muslims in the subcontinent.

The Sultan of Turkey was the 'Khalifa' of the entire Muslim world and the Indian Muslims probably as a psychological offset to the loss of their empire, but mainly motivated by their deep religious convictions they looked upon the Khalifa with particular veneration as a symbol of Muslim unity. Turkey was an ally of defeated Germany in the First World War (1914-18). In violation of the assurances given to the Indian Muslims by Mr. Lloyd George, the British Prime Minister, Turkey was compelled to sign the humiliating Treaty of Sevres on August 10, 1920 whereby the Sultan's empire was to be dismembered and largely distributed amongst the victorious nations and his powers as Caliph almost extinguished. This infuriated the Muslims against the British. A movement known as the Khilafat Movement was started by them under the leadership of personalities like the Ali Brothers, Hakim Ajmal Khan and Moulana Abul Kalam Azad. They held a conference in May, 1920 in which a resolution was passed adopting a policy of 'tark-i-mualat' or non-co-operation with the Government. The sagacious and astute Mr. Gandhi at once saw the potentiality of this movement and assumed the championship of this Muslim cause. In a letter to the Viceroy he deprecated the 'unscrupulous, immoral and unjust' treatment meted out to the caliphate. He also gave vent to his scant regard for a Government that did not care to punish the officials responsible for the Punjab atrocities and announced his decision to start a movement of non-co-operation with such a Government. This was a master stroke on the part of Mr. Gandhi. In taking this step he even forestalled Muhammad Ali Jinnah who made his first public protest against the affront to the 'Khilafat' (Caliphate) a few weeks later. Mr. Gandhi was till now a leader of the Hindus. This one action at once made him a leader of Muslims too and for a considerable time thenceforward he enjoyed the unique position of being the unquestioned leader of the vast majority of both the Hindus and the Muslims of the subcontinent not to speak of other smaller communities. The Muslim divines (Ulema) and most other Muslim political leaders including Mowlana Muhammad Ali and Shaukat Ali rallied round Mr. Gandhi. The All-India Khilafat Committee already formed, was the first to adopt the Non-co-

operation (Tark-i-mualat) programme. Although the Congress had not yet considered the question, Mr. Gandhi on the basis of the decision taken by the Khilafat Committee, fixed the first of August for the inauguration of the movement of non-violent non-cooperation, otherwise known as the Congress-Khilafat Movement, which demanded the enunciation. of titles conferred by the British Government, of offices and appointments under Government, boycott of British goods as well as educational institutions sponsored or patronized by the Government. Mr. Gandhi announced that if his programme was faithfully followed not only the Khilafat wrong would be righted but Swaraj also (Self- Government) would be attained by the 30th of September, 1921. This proved to be a most inspiring lead both to the Hindus and Muslims.

All these events created an upheaval in me. I was overpowered with a sense of shame and anger and fired with a zeal to do something. Since the disillusionment following the anti-partition agitation and the eventual annulment of the partition of Bengal, my faith in any joint Hindu-Muslim venture under the garb of so-called nationalism, as well as in British justice in any dispute between the politically strong Hindu and the comparatively weak Muslim had been badly shaken. It was evident that the British were playing the time-honored game of 'divide and rule' to perpetuate their hold on 'the brightest jewel' in the British Crown. Though experience had made me suspicious of any joint Hindu-Muslim political venture, advance, far less the liberation of the country was possible without a joint effort on the basis of a programme agreed to by the two communities. So in the larger interests of the country the question of joint endeavor could not be altogether ruled out.

It appeared to me that the situation in the country was now ripe for such a joint endeavor. Here was a cause or combination of causes that was dear to both Hindus and Muslims. Both were equally interested in the attainment of 'Swaraj' and in avenging the Punjab atrocities. Muslims were vitally interested in the rectification of the Khilafat wrongs and the Hindus also had at least a secondary interest in the matter as a major oriental cause Orthodox Hindus also expected that with Mahatma Dandhi, par-excellence a Hindu saint and a pledged protector of 'mother cow' (ga-mata) as the leader of the movement, and with a friendly Muslim community grateful on account of the Hindu support to the Khilafat cause, the movement would also lead to their cherished goal of cow-protection. In fact a number of Muslim ulema whole-heartedly espoused the cause of cow-protection. The non-co-operation movement created the greatest enthusiasm both amongst Hindus and Muslims and it appeared that as if by touch of magic the two warring peoples were overnight, welded into one composite nation. The impact of the movement was so overpowering on me that I hardly gave any thought to the difficult question of a political settlement between Hindus and Muslims. There was a vague assumption that the brotherly relations between the two communities would endure forever and no harm could conceivably be done by any one of them to the other.

As regards the effectiveness of the movement I had no doubt that if the programme set before the people was carried out, in all probability the goal aimed at could be achieved. The question was whether such an ambitious programme could actually be carried out by the people. In spite of some doubt in this regard, the enthusiasm shown by the people at large gave me hope that there was a fair chance of the programme being worked out. In any case I felt that it was my duty to respond to the call whatever might be the result. I owed it to my country, to my religion and to myself. It did not take me long to come to a decision. I joined the movement and became a member of the Congress.

The post-independence new generation new of Pakistan is and Indians cannot possibly realize the poignancy of the pain and sense of humiliation which weighed down the hearts of these who lived in a state of slavery under foreign rule, To regain our lost freedom was an objective for which no sacrifice was too great. Any feasible course of action calculated to lead to that coveted goal had a prior claim on me. Strongly entrenched as the British Government was, and, disorganized and disarmed as the people were, ouster of the British by force appeared to be absolutely impracticable and till the enunciation of the non-cooperation Movement we had no idea about any practical means to liberate the country. The non-cooperation programme showed a way out of the blind alley and it could and it could not but attract ardent souls burning with the desire for freedom.

Mr. Gandhi made 'non-violence' an essential ingredient of the movement. To him it was a creed. It was akin to if not identical with the Hindu doctrine of "Ahimsa" and as such it proved to be a most potent source of inspiration to Hindus in general, though some of Mr. Gandhi's most prominent lieutenants like Pandit Jawaharlal Nehru did not accept it as a creed. Muslims joining the movement, no doubt accepted non-violence as one of its essential elements but they accepted it only as a policy and not as a creed. Whether taken as a creed or as a policy, non-violence was a master-stroke. There might be a good deal or at least something, in Mr. Gandhi's theory of non-violence of soul force and in his conviction that it could achieve its ends by change of heart. Not many of his followers were convinced about this. But there was no doubt that 'non-violence' provided the movement with a great tactical advantage since it was difficult to counter non-violence. It placed the Government possessing every means to use force, almost on an equal footing with the people who had no means of using force. It also engendered in the non-cooperator a rare moral courage for nobler ends than the brute courage that prompts the use of force. It was this 'non-violence' that kept the authorities non-plussed for a long time and they did not know how to deal with such a novel movement. Without 'non-violence' it could never attain the success that it did.

The Indian people, both Hindus and Muslims, were deeply religious. The religious background given to the movement was also largely responsible for its immense popularity. Mr. Gandhi in his scanty ascetic robe, in his speech and demeanor, as well

as in his outlook on life was a prototype of the ancient Hindu 'rishi'. He was already given the surname of "Mahatma" (Great soul) and was also regarded by many Hindus as an 'avatar' (incarnation of God). The lead he gave was therefore regarded by the Hindus not merely as a political maneuver but as inspired religious guidance, Muslims too, for a different reason, were equally or perhaps more intensely fired by a religious zeal. The 'Khilafat' was a most outstanding institution of Islam. Although it was divested of its original position as the repository of all power over the world of Islam, it was still the symbol of universal Islamic unity and was still regarded though somewhat vaguely, as the only authority entitled to declare a holy war (Jihad) for the defence of the faith. The affront done to the "Khilafat" infuriated the Indian Muslims. This affront revived in their memories all the grave wrongs done to the Muslims in the past in the name of Christianity particularly in Spain and during the Crusades, not to speak of the ruthless suppression of Indian Muslims by the British years after the sepoy Mutiny. Muslim resentment against the Britishers thus rose to a boiling point. They were, therefore, greatly attracted to this anti-British movement of non-cooperation.

In my own district there was a spectacular Muslim response. In addition to the natural attraction felt by Muslims towards this movement many Faridpur Muslims drew additional inspiration from the lead given by Pir Badsha Mia (Aba- Khaled Muhammad Rashid-uddin) of Bahadurpur (Faridpur) who was a descendant of the celebrated Hajee Shariatullah, who was connected with the historic Wahabi struggle. My own example also probably served as stimulating factor. As a successful young Muslim lawyer and particularly as the secretary of the reorganized and popularized Anjuman -i -Islamia of the district, I was fortunate to win the confidence of a large section in my community.

#### **a. Non-Cooperation Movement**

Shortly after I joined the movement I was elected as the General secretary of the Faridpur District Congress Committee and as the Vice-President of the District Khilafat Committee. Khilafat committees were set up throughout the country and these worked conjointly with the congress organization. I discarded my costume made of foreign textiles except the lawyer's gown which had to be compulsorily put on when appearing before a court of law, and donned 'khaddar' (coarse cloth made of home-spun yarn). Spinning also was enjoined upon all non-operators I procured a 'Charka' and took to occasional spinning. I had to attend innumerable public meetings both in the town and in the villages and my practice as a lawyer began to suffer. Volunteers were recruited in large numbers and the atmosphere everywhere reverberated with their full-throated slogans of "Band-e Mataram" "Allaho - Akbar", "Gandhiji- ki jai", "Ali Bhaiyun-ki jai", "Hindu-Mussalman ki jai" and so on and so forth. It appeared that the face of the country changed overnight. Nothing like this enthusiasm was repeated except during the agitation for Pakistan during the forties, though it was of a different-complexion and was confined to Muslims only.

This sudden flood of enthusiasm threw the previously existing Muslim and Hindu organizations into the background. The Anjuman-i-Islamia in the various district, became dormant. Muslim League activities also came to a standstill. I had become a member of the All India Muslim League in 1915. For financial reasons I could hardly attend its meeting except when held in Calcutta. All that I used to do, as, in fact many other members of the Muslim League did, was to send written opinions regarding proposed resolutions which were then regarded as votes, and to remit my annual subscription. At that time there was no rule debarring members of the Muslim League from joining other political organizations or vice-versa and so my joining the Congress did not affect my membership of the Muslim League. For several years Mr. Mohammad Ali Jinnah, Mowlana Muhammad Ali and many other leaders were both members of the Muslim League as well as of the Congress. Mr. Jinnah joined the Muslim League as a member in 1913 while he was a leading figure in the Congress. Subsequently he was simultaneously member of three political organizations, the Muslim League, the Congress and the Home Rule league.

Although a large number of Hindus and Muslims of Faridpur joined the non-cooperation movement the veteran congress Leader Ambica Charan Majumdar like most other elder politicians in the congress throughout the country, who were styled as moderate kept aloof. Ambica Babu had no faith in the movement and he had once tauntingly called it a " political hunger strike". Conviction kept him away from the movement. There were others who were mere stooges of the Government and deliberately kept aloof. Khan Bahadur Abdul Ghani as the most prominent amongst the Muslims of this group and he exploited his loyalty to the Government to the fullest for his personal gain.

A special session of the Indian National Congress was held in Calcutta in September, 1920 to consider the principle and programme of the movement. Mahatma Gandhi was never very particular about the letter of the Congress constitution. He had already inaugurated the programme probably in anticipation of the sanction of the congress. He was no doubt an adept in correctly reading the pulse of the people, but if the programme had been rejected by the congress a very awkward situation would have arisen. The session was presided over by Lala Lajpat Rai who had recently returned to India after a long stay in the United states. Almost all old veterans of the Congress including the President himself opposed the resolution of non-cooperation moved by Mahatma Gandhi, except Pandit Motilal Nehru. Mr. C.R Das would have wholeheartedly supported the resolution but for the fact that the resolution contained a clause calling upon the boycott of the Legislatures to which he was opposed. I do not remember whether Mr. Mohammad Ali Jinnah spoke on the resolution, which however was passed by an overwhelming majority inspite of the strong opposition. As this was only a special session the decision was considered to be tentative and was to be placed before the regular session to be at Nagpur for final adoption.



A session of the All-India Muslim League also held at the same time in Calcutta was presided over by Mr. Jinnah. In his presidential address he did not express himself either in favor or against non-cooperation. He was as vehement in his condemnation of the post-war reforms, the Rowlatt Act, the Punjab atrocities and the affront to the Khilafat, as any speaker in the Congress session, but with regard to non-cooperation he was non-committal. He said "It is now for you to consider whether or not you approve of the principle, and approving of its principle, whether or not, you approve of its details. The operation of this scheme will strike at the individual in each one of you and therefore it rests with you alone to measure your strength and to weigh the pros and cons of the question before you arrive at a decision, But. once you have decided to march, let there be no retreat in any circumstances". It appears his mind was still open, but later on he made up his mind and opposed the programme of non-cooperation, not because of any disagreement with its main objectives about which he was as keen as anybody else in the Congress, but because he considered it impracticable, and harmful to the people, particularly to Muslims. He disagreed about the methods proposed to be applied.

On my return to Faridpur from the Calcutta session of the Congress I resumed local activities with renewed vigor. I had till now no intention of giving up my practice as a lawyer and in fact no one expected it. Towards the end of the year candidates for election to the Provincial Legislature were filing nomination papers. Verbal information reached Faridpur that there was no bar to Congressmen contesting the elections. We thought that an informal decision to this effect was probably taken in deference to the views of Mr. C. R. Das and other prominent Congress leaders. As no written instruction had come the question was not free from doubt. In a doubting dubious mood I filed my nomination paper intending to withdraw later on if necessary. On account of this uncertainty, as an alternative step to prevent the seat being captured by a pro-government candidate, we also setup a cart man named Birbal, a Muslim with a Hindu name, as a candidate, to contest the seat in the event of the withdrawal of my candidature. Moulvi Abdul Karim, son of ultra-loyalist Khan Bahadur Abdul Ghani was the other candidate. A few days later verbal message came from Calcutta instructing Congress candidates to withdraw from the contest. I came to know later on that Mr. C. R. Das, the leader of Bengal, who felt so strongly in favor of Council entry, was himself in a dubious mood on the question of actually contesting the elections, and at first instructed Congress men to file their nomination papers. But later on in deference to the Congress resolution he asked Congress candidates to withdraw. Accordingly I withdrew my candidature and we were preparing to fall back on the alternative of supporting Birbal the carter. The idea was to make a mockery of the new reforms and also not to allow un-popular Government stooges to get elected unopposed and pose as the people's representatives. But the shrewd Khan Bahadur Abdul Ghani, father of Moulvi Abdul Karim baffled us by secretly buying up Birbal and making him withdraw. The result was that Moulvi Abdul Karim was elected unopposed. The popular support to the Congress Khilafat movement was so pronounced that in the

event of a contest even with Birbal, Moulvi Abdul Karim would have been in all probability defeated. In many other districts where persons considered low in the social scale including one or two sweepers were set up, they defeated the loyalist candidates. This tendency to set up lowly persons against loyalist high-ups continued till the election held in 1926 in which a sweeper, named Hossen Rahut, who was an untouchable Hindu, got elected to the Bengal Legislative Council!

The regular annual session of the Congress in 1920, was held at Nagpur in the month of December. The non-cooperation programme had to be finally adopted at the regular session. The contingent of delegates from Bengal was probably the largest, because Mr. C.R. Das who was still opposed to the programme as a whole was determined to win at Nagpur and mobilized all the available forces from Bengal. Most of the delegates got their travelling expenses from somewhere. Amongst the delegates were many opposed to Mr. Gandhi among whom Mr. Srish Chandra Chattopadhyaya was probably the most prominent. He had no faith in the cult of non-violence and this was more than evident not only from his talks but also from the very expression of his face, which according to a companion delegate was itself a symbol of violence. There were many who thought like him and they were out for a fight. The bone of contention, however, was only one item in the non-cooperation programme, namely, boycott of the Legislatures. But a great surprise was in store for the delegates. To avoid an open conflict, Mahatma Gandhi invited Mr. Das for a heart-to-heart talk on the subject. Mowlana Muhammad Ali moved heaven and earth to effect a compromise between the two leaders. In describing the part he played Mr. Ali said that he "moved like a shuttlecock between these two mighty persons". The parleys ended in a happy compromise. The compromise resolution was drafted and moved by Das himself. The clause regarding the boycott of Councils was omitted from the resolution, but a new clause was added calling upon the moderates who had been returned unopposed to resign. While moving the resolution Mr. Das announced that he would give up his legal practice. The announcement electrified the entire audience. Mr. Das's sacrifice gave a unique impetus to the movement.

The vast concourse of delegates in Nagpur was almost in a frenzy. They were not prepared even to give a hearing to an exponent of the opposite view. It required a rare courage indeed, to stand up before such a maddened and hostile crowd to give expression to a contrary view. The only person who did so was Mr. Mohammad Ali Jinnah. Perfectly composed and in forceful, clear language he advanced his arguments against the non-cooperation programme, even though he was occasionally heckled. There was no question of his opposition being successful. The resolution on non-cooperation was almost unanimously adopted. But Col. Wedgwood Benn, who along with Holford Knight and Ben Spoor attended the session on behalf of the British Labour Party complimented Mohammad Ali Jinnah on the courage of his conviction and said that a country which could produce such leaders was bound to regain its freedom.

The Session was presided over by Vijaya Raghav Achari. An unprecedented feature of the session was the presence of a very large proportion of Muslim delegates including many turbaned and long robed Mowlanas, and of a big contingent of lady delegates. The presence on the dias, amongst others, of old Pandit Matilal Nehru in a typical costume generally donned by Muslims of U.P., his son Pandit Jawaharlal Nehru in similar dress, and a Kamla Nehru, wife of the younger Nehru with her daughter Indira who was then about 4 years old, introduced an idyllic touch to the scene, which was heightened by the pranks of Indira who was often seen to play a merry-go-round between mother, father and grandfather.

Amongst the other prominent leaders, Mowlana Mohammad Ali was in a light vein and diverted the audience with his witty remarks and short speeches full of sparkling humor. I was greatly impressed by the clear, analytical and forceful speech delivered by Mr. Raja-gopalachari.

The All-India Khilafat Conference as well as the annual Muslim League session were also held at Nagpur at the same time. The main attraction however was the Congress session. The Khilafat Conference was also a very impressive show but it was more or less an adjunct to the Congress. There was no novelty now in the Muslim League and its session at Nagpur did hardly anything more than repeat the resolutions adopted at the Khilafat conference. For several years henceforward the Muslim League was more or less dormant.

After attending the Nagpur meeting I took a short holiday and visited Ajmeer and Delhi before I returned to Faridpur. I resumed my Congress activities with renewed vigor. After Nagpur the Congress movement began to spread like a wild fire. As already stated, Mr. C.R. Das's renunciation of a princely practice at the Calcutta High Court Bar made a profound impression on the people. The Government stood stunned and did not know how to deal with this novel situation. Many students were leaving schools and colleges. There were also some resignations from Government service, one significant instance being the resignation of Mr. Prafulla Ghosh, later on, the first premier of post-partition Province of West Bengal. He was a poor man and it was a great sacrifice for him to give up his lucrative appointment as the first Indian Deputy Anoy master in the Mint in Calcutta.

I began to feel uneasy in my own mind. So far it was rather easy sailing for me. I did not feel unhappy about the great-strain I was going through or the austere life that I had adopted. My practice no doubt suffered, but my popularity also greatly enhanced. Now the question arose of going the whole hog. My younger and only brother Abu Ahmed Khan, 18 years junior to me was then a student of class IV in the Faridpur Zilla School, a Government Institution. He was as a matter of course putting up with me at Faridpur. With trepidation of heart I withdrew him from the School. I did this at the call of what I considered to be a far higher duty. I was hoping that this suspension of studies would

be a temporary affair and no irreparable harm would be done to my brothers' career. But events proved otherwise, and this act of mine has been an abiding regret to me throughout my life. Later on when I was in jail and received news of the movement being suspended I decided to send word to my father to get Abu admitted at our village High School at Khankhanapur. Some of my jail mates came to know about it and dissuaded me from taking that course. After my release from prison Abu was sent back to school, but he could not rekindle any of his previous enthusiasm. I then sent him to a Homeopathic Institution in Calcutta where he studied for about three years and got a diploma from that Institute. Ever since, he has been practicing at Faridpur and on account of his indifferent health has been living a life of great struggle inspite of the assistance I have been giving him according to my capacity.

The next problem was for me to decide whether I should give up my practice. This was the hardest problem for me. In spite of a fairly good practice as a young junior pleader I neither had or could possibly have a favorable Bank balance. My father also had no money to spare and was himself in need of help. Then there was my wife with her baby daughter. What would happen to them? I felt puzzled and took some time in pondering over the situation. Although lawyers here and there were suspending practice, no one from the Faridpur Bar was coming forward to do the same, although the Hindu lawyers who had joined the movement, were each one of them, far better equipped than me to give up practice. So if I chose not to give up practice there would have been hardly any one to blame me. In fact no one expected that a rising Muslim pleader with family responsibilities like those of mine would risk his career by taking a jump into the dark. But I felt very uneasy within myself. The inconsistency of my position of being a soldier in the cause of my religion and my country and yet not following in full the directions of the organizations that sponsored the movement, began constantly to harass my mind. It was mainly concern for my family that made me hesitate for some time. Early in 1921, while in the throes of this dilemma I saw a streak of light in the dark horizon. Students were leaving schools and Colleges in large numbers and there were sporadic efforts to set up alternative national institutions to cater for them. I read in the papers that a national college was being established in Calcutta for which a number of professors were wanted. I thought I might possibly be selected as one of them in which case the little remuneration that such a job might bring would go some way towards meeting my personal expenses and also sparing something for my family. In this expectation I made up mind and it was a great surprise to everybody at Faridpur when I announced my decision. It gave a great momentum to the movement in my own district.

I gave up my rented house at Faridpur, sent my younger brother home and sent my wife, child and a brother-in-law Abdul Quader, a school student who was putting up with me, to my father-in-law's house. I myself removed to Nasir's rented house. Nasir also had joined the movement, but he was not in a position to give up practice. After sometime I was selected as a Professor of English in the National College. I was given a

great send-off when I left for Calcutta to take up my new job. A Hindu lawyer remarked, "Tamizuddin, you will be great man". Though it sounded too much like a platitude, seriously I felt an inner satisfaction that I was doing the right thing.

The National College was named "Gandhiya Sarba Vidyaayatana" and was located in a big house called 'Forbes Mansion' in Wellington Square. The name given to the college indicates the Hindu Revivalist trend in the movement. I did not like the name and the Muslims generally did not understand the meaning it carried. The main initiative in the establishment of the College was that of Mr. C.R. Das. Though he was not himself a revivalist and was perhaps the most broadminded and farsighted amongst the Hindu leaders, he could not ignore the general revivalist tendency which was responsible for the invention of this queer Sanskrit name for the institution.

When I joined the College shortly after its establishment, I found it in a somewhat chaotic condition which was not unexpected. Although it was supposed to be a national College no corresponding courses of studies could yet be evolved. The same curriculum as in vogue in the institutions left by the students was being followed in a haphazard way. The boys did not at all appear to be enthusiastic about all that was being done in the College. Inside the College there was nothing like the electrified atmosphere that prevailed outside throughout the country. However I took to my duties seriously and tried to do my best as permitted by the circumstances. Mr. J.L. Banerjee was the acting Principal of the College at the time. It had already been decided that Mr. Subhas Chandra Bose, who had resigned his newly high appointment in the Indian Civil Service on his brilliant success at the I.C.S (Indian Civil Service) Examination held in England, with a view to joining the national movement and was still in Europe, would join the College as its principal, on his return. All major decisions on policy were being postponed in expectation of his arrival. It was however quite a long time before he came and joined the College in July 1921.

The men who had joined the College had done so in a spirit of sacrifice. I was getting Rs. 100 as my remuneration. The salary given to the teachers was called "dakdshmina" in conformity with the revivalist trend. While serving in the College I took up residence in the office room of an association of Ulema of which the head was Hazrat Mowlana Abu Bakr the renowned Pir Saheb of Furfura. The office was located in Machhuabazar street. Mowlana Afsaruddin of the district of Faridpur, a leading disciple of the Pir Saheb, was incharge of the office. He was probably the Secretary of the association. My previous acquaintance with Mowlana Afsaruddin enabled me to find accommodation there. There were several other similar occupants of the room. We used to spread our beds on the matted floor of the room at night and fold them up during the day time. I used to take my meals in one of the numerous Muslim restaurants in that predominantly Muslim area. The offices of the Provincial and the Calcutta Khilafat committees were also situated in that locality and as such I could easily keep myself in touch with their activities.

The All-India Congress Committee and the Central Khilafat Committee met in Bombay from the 28th of July to the 3rd of August, 1921. I went to Bombay to attend the session. According to a previous resolution of the All-India Congress committee held at Bezwada in March, a sum of ten million (one crore) rupees was to be collected for the Congress fund which was named the Tilak Swaraj Fund. The collection was now complete and at the Bombay meeting a resolution was adopted congratulating the country on the fulfillment of the Bezwada programme. Shortly before the meeting the fund was short of the target by eighteen lakhs and Mr. Omar Sobhani contributed the entire amount to fulfill the target. The meeting by another resolution asked the people to abstain from extending a welcome to the Prince of Wales who was due to visit India. It was also decided to intensify the boycott of foreign cloth, and in this connection it was recommended that foreign cloth should be collected and publicly burnt. Shortly afterwards in the Parell area of Bombay there was a spectacular demonstration of this. After a mammoth public meeting there was a huge bonfire of foreign cloth.

While in Bombay I had occasion to come into close touch with some top ranking leaders, particularly Mowlana Mohammad Ali and Mowlana Shawkat Ali. The former was a most genial and indefatigable table talker and it was a treat to listen to him. He had the rare gift of being able to make fun of almost everything and we roared with laughter when he made fun of his bulky elder brother, Mowlana Shaukat Ali.

Besides seeing many other places of interest I paid a visit to the celebrated Elephanta Caves situated in the tiny harbor island of the same name. Along with several other Bengali members I was staying in the office buildings of the central Khilafat Committee. When I informed the officer in charge of the premises about our intention to visit the Elephanta, he asked us by what means we were going. I replied that we wanted to go by country boat. Then he gravely asked us to leave our names and home addresses with him. We asked him why he wanted our addresses. He said " your belongings will have to be sent back to your home". When we realized the import of this grim humor we burst into laughter and abandoning our intention to go by country boat in that rough season went instead by the ferry steam launch.

Returning to Calcutta I resumed my duties in the college. The tempo of the movement was now greatly increasing. The Ali Brothers were arrested in August and this infuriated the entire country, particularly, the Muslims. Congress work at Faridpur received a set back after my departure for Calcutta. I had not resigned my office as Secretary of the District Congress Committee as everybody was against my resignation and my duties were being performed by the Assistant Secretaries. This arrangement did not prove satisfactory and work began to suffer. Consequently there was a demand for my return to Faridpur. Though that would mean the loss of the remuneration that I was drawing from the College, small as it was, I felt I should go back to my more arduous

work at Faridpur and with the permission of the new Principal Mr. Subhas Bose and of Mr. C.R. Das, the leader of the movement in Bengal, I went back to Faridpur.

As I had no house now at Faridpur I began to put up with Nasir. I used to sleep in his outhouse and take my meals with him. This arrangement continued for about a month or so. Then I removed to a private rest house adjacent to Nasir's house, which was built by the common landlord Moulvi Wahidunnabi of Kaijuri. He had given this small establishment the attractive name of 'Aram Manzil' or the 'Abode of Comfort'. I really enjoyed my stay here till about the end of the year. During this period I could not give any pecuniary help to my father or spend a pice for my wife and daughter who were living with my father-in-law. He however was in fairly affluent circumstances and did not at all consider this as a burden. It would hardly have been different even if he was a poor man. According to the tradition of our country such things are taken to be the normal exigencies of family life. I often discussed the political situation with my father-in-law. He was from the start doubtful about the success of the movement. My wife was in full sympathy with me and bore her lot with stoic forbearance. She took to spinning and soon acquired considerable skill in the art.

My father never expressed his disapproval of my joining the non-co-operation movement and giving up of my practice. Whenever I met him he used to ask me numerous questions about the progress of the movement and seemed to be eager about its ultimate success. He was in evident financial difficulties, but never spoke to me a word about his worries. His forbearance made me feel all the more guilty. My mother and younger aunt had full faith in me and always hoped for the best. My younger brother, in the absence of any schooling during this period, began to take active interest in our small agricultural firm.

The new item in the non-co-operation programme, viz, the burning of foreign cloth added a dramatic touch to the movement. I had already burnt mine. At the conclusion of every public meeting there was a bonfire of foreign cloth and it was really amazing that so many people, almost in a mad frenzy threw their valuable articles of dress into the fire. For some time I was working in constant collaboration with Dr. Suresh Chandra Banerjee, subsequently a renowned labor leader in Calcutta, and became very friendly with him. Amongst the leaders of the district, Peer Badsha Mea and Dr. Banerjee were the first to be arrested. Dr. Banerjee was arrested at Faridpur. In the evening of his arrest there was a big protest meeting at Faridpur. I became particularly warm while addressing that meeting and the result was probably the biggest bonfire of foreign cloth at Faridpur.

The Government resorted to repressive measures after great hesitation. For quite a long time there was evident embarrassment in Government circles. They did not know how to deal with a novel movement of non-violent non-co-operation. Mahatma Gandhi was an enigmatic personality like his prototypes of old, the ancient Hindu Rishis. In

inaugurating the movement he had promised that if his programme was followed Swaraj would be achieved by the 30th of September, 1921. The fixing of a definite dead line mystified many. Millions of his unsophisticated Hindu followers seemed to entertain a vague belief that the Mahatma had a premonition of what the future held for them. I personally thought that it was a mere device to rouse the enthusiasm of the people to a white heat. It was however unfortunate that such a scheme was resorted to. It not only gave rise to confusion but also acted as a damper when the dead line approached and passed without the promise being fulfilled. As regards my own mental attitude, after the first flush of enthusiasm had passed away, I felt convinced that the struggle was going to be a protracted one. Naturally, therefore, my thoughts turned to the question of a provision for myself and my family. Towards the end of the year I started a small "Khaddar" shop at Chawkbazar, Faridpur in a rented hut jointly with my friend Moulvi Habibur Rahman, a close co-worker. There was a great demand for 'Khaddar' in those days and the shop had a very promising start. But soon afterwards I had to be out of Bengal to attend meetings of the All India Congress Committee and the Central Khilafat Committee and I took Moulvi Habibur Rahman as I intended to make some purchases for our shop during the trip. After attending the meetings we went to the Punjab and visited certain Khaddar centers, but could not make any appreciable purchase. On our way back we make a more substantial purchase in Calcutta. Meanwhile in the wake of the visit of the Prince of Wales which Congress had decided to boycott, the Government intensified its repressive measures. The Prince who had already arrived in India was due to come to Calcutta on the 24th December 1921. To save the Prince from the dishonor of a boycott, which promised to be of a specially spectacular nature in Calcutta in view of the unique success of the Hartal that was held in Calcutta on the 17th November, the day on which the Prince landed in Bombay, the Government made a last minute attempt to come to an understanding with the Congress. We heard that there was some discussion between certain Government representatives and Mr. C.R. Das, then in the Alipur Central Jail as under trial prisoner, after his arrest on the 10th December. But the move failed since Mahatma Gandhi insisted that Congress and Khilafat leaders in prison, particularly Mowlana Mohammad Ali must be released before any negotiations could take place. To that the Government did not agree. On his release, Mr. Das openly criticized Mahatma Gandhi for taking this stand. However after the failure of this conciliatory move, mass arrests began, Congress volunteer organizations had already been declared illegal. It was in this situation that I had reached Calcutta with Moulvi Habibur Rahman from the Punjab. I heard a rumor that there was a warrant of arrest against me and that I would be arrested on my return to Faridpur. On our way back to Faridpur I stopped over at Rajbari and went to my father-in-law's house to take leave of my wife. From there I hurried back to Faridpur, but for two or three days the expected arrest did not take place. This respite enabled me to arrange for the running of the shop during my absence.



### **b. Imprisonment: Faridpur Jail**

One December afternoon while I was returning to my place of residence in the compound of Nasir's house and was on the road in front of the house I saw an Inspector of Police, well known to me, who was coming towards me from the opposite direction. My instinct told me that he was coming to arrest me and I asked him forthwith, "Are you the person to do the job?" He replied "I am the unfortunate man" and his countenance gave evidence his unhappiness. We both came to the 'baitak khana' (waiting room) of Nasir (I told him that I would get prepared very soon) and later left the baitak-khana for the jail. The news spread like wild fire in the town and a large number of people assembled in the compound of the house. I was taken to the district jail.

I had never before seen the inside of the jail and almost every time that I passed by the jail during my stay at Faridpur there was a mysterious curiosity, almost a hankering to see how things went on within. That curiosity was now satisfied in a manner which I could not then visualize even in my wildest imagination. On bowing through the window sized entrance of the massive iron-gate and looking at the new panorama unfolded to my curious eyes, the first impression was that of an entirely new world far more clean and orderly, though far more subdued. I was taken to a small walled compound which contained a few cells meant for, as I heard, condemned prisoners or those punished with solitary imprisonment. I found there a small batch of about half a dozen non-cooperators from the Madaripur Subdivision, who had been brought under arrest into the jail only a few minutes before me. The sun had just set and those of us who were Muslims told the jailor, who also happened to be a Muslim that we wanted to offer our "maghreb" prayer and were in need of water for ablutions. He showed us a nearby tin water-tap and a few shallow iron cups lying close by and said we might take water from the tap into the iron cups and perform our ablutions for the prayers. We found it a most awkward job to do our ablutions with the help of these shallow cups, though later on we became adepts in using those cups in the most economical way possible. After we had offered our prayers on the bare floor of the compound we were put into the cells, two in each cell, about 4' X 10' in dimension, hardly spacious enough for a single person. My cell companion happened to be Moulvi Khalilur Rahman nick named Moulvi Bakhar Ali of Nagerpara in the Madaripur Subdivision. I found him to be a charming personality, vastly learned in Islamic lore, having a keen sense of humor and courageous like a lion in keeping with his commanding appearance. We were given several rough blankets, one for lying on, one to be folded up for a pillow and one to cover the body. Two plastered cane baskets were placed in the cell for holding urine. No water was supplied and since Muslims, almost without exception in those days used to observe the Islamic sanitary directive of a wash after every urination, we restrained ourselves and had no occasion to use the baskets during the night.

We were locked up at nightfall and next morning after being unlocked were taken to another ward where we were kept with other under-trials and convicts. The batch that had come from Madaripur had already been tried and convicted at Madaripur. As we had been taken to the jail the previous evening after meal time, we were not given any food that evening and as for myself I had no inclination to have anything. So I had my first experience of jail food at breakfast time next morning. We were taken to the compound in front of our ward, made to squat on the bare ground and were served with 'labsi' in iron plates, 'Labsi' is a kind of rice gruel which is served with salt for breakfast to ordinary prisoners. The rice used for the gruel contained a high percentage of impurities and I could eat very little of it indeed. Although the gruel was nothing but rice and water, a jail official, on our complaint, said that it was very nutritious! Lunch was given under similar conditions at about 12 noon. It consisted of coarse boiled rice, coarse boiled pulse and a kind of vegetable curry. I could hardly take more than a quarter of the quantity served. Dinner which was in no respect different from the lunch was served at about 6 p.m. Dinner was to be finished before sunset when we were locked up. During night no sound sleep was possible. The rough blanket bed was very uncomfortable. Moreover, the constant vigil and the perpetual inspection of the prisoners, and giving accounts by warders to supervising staff in accentuated loud voice, were to us almost an unbearable nuisance which kept us almost constantly awake for the first few weeks of our jail life. During day time the regimentation for collective use of the almost unscreened latrines seemed to be most degrading and sub-human. I do not know whether such arrangements were deliberately made to dehumanize the prisoners or to facilitate the keeping of constant watch on convicts under all conditions. There was similar regimentation for bathing. We were taken to a cemented yard through which ran a row of narrow channels about 1 \F (1,2) feet wide and \F(1,4) feet deep in which water was made to flow and prisoners were required to wash themselves with the help of those typical shallow iron cups and to finish the whole business in about five minutes.

The treatment of ordinary prisoners by the warders was staggeringly inhuman. The warder hardly spoke to the prisoners except in the language of abuse. Even the slightest error or amissness on the part of a prisoner would often invite not only most filthy abuses but also slaps and kicks. They were treated even worse than a herd of cattle. The most offensive person in this respect was the 'Jamadar' the head of the warders at the Faridpur jail at that time. Later on in the Dhaka Central Jail I found such officers somewhat better behaved. Warders and officers, however, were, on the whole well-behaved towards political prisoners even in the Faridpur Jail, within the limits of jail regulations, though some of them were over-zealous.

The Court precincts were only about two furlongs off from the Jail gate and I was taken on foot to the court of a first class Deputy Magistrate on the date fixed for my trial. I was handcuffed and escorted first of all to the office of the Court police. While I was seated on a chair in the office room, Khan Bahadur Abdul Ghani, who was the Secretary

of the Faridpur Sadar Central Cooperative bank of which I had also been a Director, came to see me from his office situated within the court compound. He burst into tears while talking to me. I do not know whether the tears were really sincere. My personal relations with him were quite cordial though he was an avowed enemy of our movement. Other persons who gathered round the place were not allowed to enter the office room. From there I was taken to the Court. A large throng of people assembled in and about the court room. I was charged under a section, probably Section 17(2) of the Criminal Law Amendment Act. The specific offence alleged against me was the maintenance of a corps of volunteers defying Government orders declaring the volunteer organization illegal. For some technical reason the case was adjourned. On the next date early in January, 1922, according to the policy that was being pursued by the Congress, I did not defend myself. I handed in a written statement defying the authority of a court established by a foreign power to try me. I was convicted of the offence I was charged with and awarded rigorous imprisonment for two years, the maximum penalty provided under the section.

G.P. Hogg, I.C.S. was then the District Magistrate of Faridpur and ex-officio Superintendent of the Jail. He was good looking and of polished demeanor, but very ruthless and I think also un-scrupulous. He visited the jail a few days after my conviction. While we were squatting on the ground for our typical breakfast we found him amongst us. He approached me and exultingly said, "so you are all convicts now. Do you now realize how misguided you are?" I replied that it was yet too early for them to exult and that Government would have ultimately to yield as we would make administration impossible for them. In reply to his question as to how we could do it, I said that, apart from other things Government would find it impossible to accommodate the thousands of people who were volunteering arrest. Non-cooperators, young and old, were then pouring into the jail which was already more than full. Hogg replied that the British Government, which had dealt with millions of war prisoners could certainly deal with those convicts. His reply set me thinking, but he was not entirely right. The movement had almost succeeded and one official report was said to have admitted that it was "Within an inch of success". Later on, even Mr. Jinnah, who had not joined the movement, said that the movement would have succeeded if its leadership was in the hands of a real politician.

Amongst the political prisoners there were a large number of young lads. The majority of these prisoners hailed from the Madaripur Subdivision which was not only the largest Subdivision of the Faridpur district but was also perhaps more politically conscious. It was almost an impossible task for the authorities to keep these enthusiastic lads under discipline. Almost constantly they shouted the usual Congress slogans in batches. Mixing of political prisoners with ordinary convicts was prohibited, but such mixing became quite frequent. The jail assumed the aspect of a mad house. I thought this to be quite unbecoming of non-violent non-cooperators who were required by the very creed of the movement to keep themselves under the strictest discipline. I

conferred with other leaders on the matter and we decided that the lads should be advised to observe the discipline of the jail except in one respect. We found in the jail an established practice which, we felt, we should on no account, submit to. Whenever the Superintendent or any other official visited the jail, he was escorted by an impressive army of junior officers, policemen and warders. On his stepping in, the usherer shouted in a thundering voice "Sarkar" and after a short pause, "Salam". As soon as 'Sarkar' was shouted all prisoners within view had to stand at attention, and when 'Salam' was shouted, they were to salute by raising the up-turned right palm upto the forehead. This we considered to be a humiliating practice, particularly militating with our defiance of the "Sarkar", which Mahatma Gandhi had described as a 'satanic Government which must be mended or ended'. Political prisoners at the Faridpur Jail from the start had never conformed to this practice. We decided that this jail injunction we must continue to defy. Though our instructions to the young volunteers made a marked improvement in discipline in other respects, the vain G.P. Hogg whom the volunteers in their hatred used to call 'the great peninsular hog' in conformity with the initials of his name, could not bear this affront and he decided to teach the delinquents a good lesson.

One morning at about 10 A.M. he came to the jail like a general leading an invading army. There was a large number of armed policemen in his procession. Just before his arrival, under orders of the jailor, the politicals, who were then scattered hither and thither, were assembled inside their ward and stood in four long rows. The jailor then directed them to salute the District Magistrate in the appropriate manner on his entering the ward. It was a very tense situation. The District Magistrate entered in triumph. The usherer thundered 'Sarkar', and after a second's pause, 'Salam'. I felt a sudden sting of shame and surprise to find that a large proportion about 30 percent of our men almost involuntarily raised their hands in salute. However that was no satisfaction to the Magistrate because the majority defied the order and so the drama could not end there. Those who defied had to be punished. But for some reason the authorities did not seem disposed to punish so many men and decided to pick and choose. A Deputy Magistrate who was quite intimate with me began to go round the rows and to pick up persons for punishment. When he approached me I was surprised that I was passed over and the man standing next to me, Nibaran Chandra Pal was selected. I at once burst out, "Why are you leaving me off, have I saluted?" he replied -- "Alright, then come up". The selectees were then taken to a grassy yard and made to squat on the ground. At some distance arrangements were made for whipping the culprits. The first person to be so treated was Surendra Nath Sinha, Headmaster of a High English School. He was uttering Congress slogans while being whipped. The next person was Panchanan Banerjee, a volunteer. He had a fine physique indicating enormous bodily strength, and also a stout heart. When he was released from the whipping board after receiving the stripes he wore a smile of defiance and contempt on his face. While this was going on we thought all of us would be whipped in turn. Although all the rest were not as plucky as Panchanan, no one seemed cowed down with fear. I was however weighed down with a sense of ignominy on account of the

degrading manner in which whipping is administered. The victim is stripped and tied up with his chest on the whipping board and flogged on his bare buttocks. It was this stripping that I was dreading and how earnestly I was desiring that I might be spared this unbearable ignominy, although I was, like all the rest, otherwise prepared and even anxious for a chastisement to which some of my comrades were subjected. It was really a great relief to me when I found that no third man was taken to the whipping board. I heard later on that the reason for not whipping the rest was that there was a jail regulation prohibiting the whipping of more than two convicts in a week. I had no occasion to verify if actually there was any such regulation. However after the whipping Mr. Hogg approached the rest of us who were then squatting in the burning sun. As a reaction to the feat of brutality he had just indulged in, there was probably a touch of the opposite emotion of human compassion in his heart and he asked us to move away from the sun to the shade cast by a nearby building. Various other punishments were then awarded to the rest of us. I had the distinction of being the only person who was given "standing handcuffed for two days". The rest were given "bar-fetters" or some sort of hard work in addition to the normal labor that rigorous imprisonment entails. Some of the hardest of these were driving the oiled press, pedaling the paddy husking pedal and operating the grindstone or the water wheel.

I was handcuffed and taken to the oil-press shed called "Ghanighar" where my handcuff was attached to an iron-string which was pegged to a pillar making me keep in a standing position with raised arms and hands. The warder in charge used to unlock me at meal times. Probably I would have been similarly unlocked if requested to do so, at prayer times. But resentment and pride prevented me from doing so. I used to offer my prayers in the imposed standing position, touching the pillar with my forehead in lieu of the regular 'sijda' or prostration.

I heard after my release that the news of the inhuman treatment meted out to us created a great sensation in the town. A complete 'hartal' was observed and there was resentment and sorrow almost in every home. The situation in the town created an urge in the local members of the Legislative Council to pay a visit to the jail. The visitor was no other person than Moulvi Abdul Karim whom I would have certainly defeated in the 1920 election if I did not withdraw from the contest in accordance with Congress mandate and whom, in all likelihood, Birbal, the cart man candidate set up by us, would also have defeated had he not been ultimately bought up and made to withdraw. On the second day of my punishment while I was standing in that awkward position in the oil-press, I heard with great consternation that Moulvi Abdul Karim had come to visit the jail. The very idea of being seen in that position by a person who was an enemy of our movement and who probably had me arrested exult in his heart seeing me so humiliated, became unbearable to me. But I was providentially saved. Moulvi Abdul Karim, who had probably seen me from a distance in that position and may have himself wanted to avoid an awkward encounter did not approach me and passed by the oil shed as if without noticing me.

It took me some time to recover from the psychological effect of this punishment. I could not help constantly brooding on the humiliation inflicted on us. In that morbid state of mind I began a hunger strike. The stand I took was that I would not take the food offered by an insulting hand. My comrades grew anxious and off and on they saw me in batches and tried to induce me to give up the strike. Moulvi Khalilur Rahman confronted me with irrefutable religious arguments. He said it was unIslamic to commit suicide, a doctrine which I too knew as well. But I told him that my purpose was not suicide at all and that I had no objection to take food coming from any other source. He replied that as any other source was unthinkable under the circumstances, refusal to take food if pressed to the bitter end would mean suicide. In my obstinacy I kept on arguing with him, but he too was equally tenacious and kept on arguing from all possible angles. Ultimately I yielded and gave up the fast.

We had been punished, but it was Mr. G.P. Hogg who was defeated. The refusal of political prisoners to salute the "Sarkar" continued as before. Even those who had almost involuntarily raised their hands in salute on that somber occasion, never again saluted the 'Sarkar'. Later on, we had the satisfaction to learn that the stand taken by us in the Faridpur Jail in this respect opened the eyes of the higher authorities and political prisoners were exempted from saluting the 'Sarkar'. This exemption however was not secured before Sir Abdur Rahim who was then the member of the Bengal Governor's Executive Council, in-charge of the Home Department had either resigned or threatened to resign his portfolio in protest in case his proposal to exempt political prisoners from such saluting was not accepted, as I heard after my release.

When I had been arrested I found that political prisoners had been pouring in from all over the district. The influx rapidly increased and the situation very soon assumed unmanageable proportions for the authorities concerned. A new policy was therefore adopted by the Government. Mass arrests were slowed down. In many cases after arrest the men were taken in police vans to a great distance and released. Inside the jail treatment of political prisoners, particularly of the volunteer class became more harsh than before so that new comers might be discouraged and those who were already in and who were given the option of release on signing bonds might be cowed down and many youngsters, some of them quite illiterate and innocent about the objectives of the movement signed bonds to secure release. We felt greatly mortified and humiliated.

Our lads were given all kinds of hard work whereas the leaders were more lightly treated. We saw through this game, and voluntarily imposed on ourselves the same hard work as was given to the volunteers. I thus joined the volunteers in turning the water wheel. While thus engaged I committed an act of boyish indiscretion. While the wheel was being turned by one of my comrades I found a rod in a piston, pressing upon a socket at split second intervals. I felt curious whether I could insert my finger between the rod and the socket during the split second and draw it out safe. Thinking I would

succeed I inserted my right forefinger and got it crashed. I was in agony for several hours and what annoyed me all the more was the suppressed amusement of some of my comrades at my childish prank. It was surprising that ultimately the wound perfectly healed leaving no trace whatsoever of the injury.

Within a short time of my imprisonment my health considerably deteriorated. My intestines had already a colitic tendency. My stomach did not take kindly to the ordinary jail food and I had one or two attacks of colitis. During such attacks I was removed to the hospital which flanked the Jessore Road, the main road passing through the town of Faridpur. I was given a bed on the first floor near a window through which I could look on the traffic along the busy road.

While at Faridpur Jail I also became a victim to a pest about which I had no previous knowledge at all. One day I felt the pinching bite of something on my back and asked a comrade to see what it was. He picked it up, placed it on the ground and said it was a white lice. We then discovered that the blankets were lice-infected. While the hairy head is the exclusive habitat of ordinary lice, the white ones infests the body and are, therefore more obnoxious. I conceived a peculiar horror of these vermins.

I had another revealing experience in Faridpur Jail. Ordinary prisoners do not get any sugar with their diet and the body becomes sugar starved. Ordinarily sugar starvation does not manifest itself and a victim of such starvation has hardly any suspicion about it. In my case I detected it in a peculiar way. One day I saw some volunteers consuming 'capati' with molasses apparently smuggled into the jail. One of them, Pramatha who had been a pupil of mine, while I was a teacher at the Faridpur Zilla School, offered some of the staff to me. As such behavior was irregular I declined the offer, but within myself I felt almost an uncontrollable hankering for the molasses. This was obviously due to sugar starvation. In jail I became very friendly with Babu Surendra Nath Biswas, a fellow prisoner. He had also been awarded like me two year's rigorous imprisonment. He had been a leading lawyer at the Madaripur subdivisional Bar and probably the President of the Subdivisional Congress Committee. Even in jail the political prisoners were often presented with problems which had to be tackled by the leaders and Suren Babu was one of the most prominent amongst these leaders. The jail authorities were often frustrated in their designs on account of concerted action being taken by the political prisoners under the guidance of their leaders. After their failure to make the prisoners salute the 'Sarkar', they hit upon the plan of separating the leaders from the rest. Sometime after the flogging incident in the month of March or April, Suren Babu and myself were told at dead of night one day that we were going to be transferred to the Dacca Central Jail. Shortly afterwards at about 3 A.M. we were taken in a hackney carriage to the Faridpur Railway station and then by rail and steamer to Dacca

### **Imprisonment: Dacca Central Jail**

We were taken into the Dacca Central Jail in the afternoon and rather unexpectedly found a somewhat holiday atmosphere in the ward allotted to political prisoners. We were warmly greeted by several of them, amongst whom was Master Mainuddin, very old, plump, toothless and sporting a flowing snow white beard. He greeted me as an old acquaintance although I had never seen him before. The ward was more or less like a students' hostel with a large number of single seated rooms furnished with iron cots. which were covered with thick mattresses. Although there was the usual locking up at night fall each room was provided with a "hurricane" lantern and so the inmates could read at night. The food was much better. There was no longer 'labsi' for the breakfast. There was instead, bread, butter or ghee and tea. Rice and fish along with vegetables and dal were given for lunch and rice or chapati and meat for dinner. The fact was that the jail regulations were altered according to which political prisoners were to be treated as special class prisoners. The amended regulation had probably a delayed application to the Faridpur Jail, because we found that it was already in place in the Dacca Central Jail for some time. I heard after my release that from the start the political prisoners, in the Alipur Central Jail, amongst whom were personalities like Mr. C.R. Das and Mowlana Abul Kalam Azad were given far better treatment than the special class prisoners at Dacca. Though all politicals were awarded rigorous imprisonment the work allotted in the Dacca Jail to them was very light. The task given to me was to wind up mill woven cotton yarn in a 'natai' and make it into a small roll. One hour in the morning was enough for this work.

Jail is an ideal place for meditation and religious devotion. Almost all Muslim prisoners regularly offered their daily prayers at stated times. I was particular about this even before my imprisonment. But my prayers then were more or less formal as I understood very little of the Arabic text in which the prayers are couched. I had never before learnt Arabic as a language although I know the meanings of a large number of words occurring in the holy Quran on account of extensive reading of 'Puthis' by Muslim scholars of the old school, which abounded in Arabic and Persian words. While I was at the Faridpur Jail I had my copy of the holy book sent to me by Nasir, and begun to study it more seriously. At Dacca I found a better opportunity and a more congenial atmosphere to do so. My copy contained line by line Urdu translation of the Arabic text, but it was not of much use to me as I did not then know Urdu well enough to follow the translation. At Dacca I did two things about my study of the Quran. Moulvi Syedul Huq of Mymensingh, an undergraduate, was a good 'Quari', (one well versed in reading the holy book in a melodious intonation). Such reading is a difficult. but a very fascinating art coveted by Muslims. I became initiated in reading the Quran in this artistic way under the guidance of Moulvi Syedul Huq with whom I became very friendly. The other thing I did was to borrow from another friend of the same district, Mr. Shamsul Huq his copy of the Holy Quran with English translation and commentaries by the famous Mowlana Muhammad Ali of Lahore. This proved to be of immense assistance to me in understanding the meaning of the great book and also in



learning its language to some extent. I am deeply indebted to these two friends for what I consider to be almost a turning point in my religious life. I have always regarded my imprisonment as an asset in my life not only because it symbolized the little sacrifice that I could make for the cause of my country and my religion but also on account of the reorientation of my religious life referred to above.

Col. Simpson was then the Superintendent of the Central Jail. He used to seek my advice and assistance as well as those of other leading politicals regarding questions of discipline amongst the rank and file of our men. I found that the youngsters misused the privileges that were given to them as political prisoners. There was no restriction regarding water for bathing. They could bathe to their hearts' content in the water channels which were more ample in size here and flowing with more water than in Faridpur Jail, or under the water taps. Not content with this the lads unloosed the sockets of the hydrants making the water pour out most wastefully. Col. Simpson's attention was drawn to this when the water bill had to be paid. He complained to me that on account of this gross abuse he had to pay a huge amount as extra charge. At our intervention this abuse was brought under control.

But the Superintendent did not accept our advice in full with regard to one important development which had far-reaching repercussions. The Government was making desperate attempts to stop further influx of political prisoners. But there was a continuous flow though at a diminished rate. The courts now began to convict most of them under the ordinary law and so they were treated as ordinary convicts. This was a clever device to create dissension amongst political prisoners as well as to discourage further influx. But this was intolerable to us. Our representation for equal treatment for them was turned down, so we offered to take the inferior food given to ordinary convicts to obviate the invidious distinction and said if this was not conceded we would go on hunger strike. This was ultimately agreed to and the special class of political prisoners with one or two exceptions began to take the ordinary food; this continued for about a couple of months after which Col. Simpson reluctantly accepted another modified proposal. It was to amalgamate the rations of the ordinary political prisoners with those of the special class prisoners and cook and serve them to all of us together. As the proportion of ordinary political prisoners was very small, the resultant food was not much inferior to the special food we used to have before.

On being transferred to the Dacca Jail although I was getting far better food I had one or two attacks of colitis and was removed to hospital during such attacks. It was in this weakened state that I had to take to the coarse ordinary food in the circumstances described above. This was too much for me to stand and I had a very severe attack. I was removed to hospital. Treatment there was ineffective. Before imprisonment I used to get rid of colitis by taking 'chhana', solid part of milk separated by action of acid. When col. Simpson came to see me I told him that I would be easily cured if he could give me 'chhana'. He turned down my request with a smile, apparently because I failed

to explain to him what 'chhana' was, and he took it for 'chana' which means gram seed which if taken in that condition would certainly have aggravated the malady. He prescribed instead a saline mixture to be taken several times during the day. This induced severe purging and I had about sixteen motions in a day. Ultimately I began to purge blood and I believed that the disease had developed into dysentery. Col. Simpson prescribed some other medicine next day and gradually the virulence of the disease abated. I was however, not cured and passing of mucus in varying degrees continued. After a long time I was discharged from hospital only half cured. The condition persisted not only during the rest of my stay in jail but for a long time afterwards. It was discovered later on that the purging of blood was not on account of dysentery, but the wall of the rectum near the anus burst and emitted blood. This developed into piles which became a permanent companion. Seeing my emaciated condition Col. Simpson recorded a direction in my convict card or history sheet, to give me half a pound of milk every day with sugar. This continued till my release. The milk was very good and I really enjoyed it. I have already mentioned about my sugar starvation at Faridpur Jail. When I first tasted sugar at the Dacca Jail after a long interval I was surprised at its indescribable deliciousness. This showed how sugar-hungry my system had become.

When I was first transferred to the Dacca Central Jail all the political prisoners appeared to be concentrated in the hostel like ward I have already described. But they were soon distributed into different wards. A large number of us were accommodated for long time on the first floor of a big two storied building. There were no cots there. Our beds were spread on mattresses on the floor. Luckily Suren Babu and myself were kept together throughout. While in this ward the month of Ramzan arrived. Almost all the Muslim political prisoners observed the fast. At our request arrangements for "Sahri", (early dawn meal) and for "Iftar" (breakfast taken after sunset) were made. We offered Tarabi prayers (special night prayers during the month of Ramzan) in congregation led by Hafez Hakim Fazlur Rahman, a very sound, devout and learned man who afterwards became a 'Pir' with a large following in the district of Chittagong. He was also a very powerful speaker in Bengali. "Juma prayers" were also offered in congregation every Friday.

Although ordinary prisoners were not allowed to mix with politicals, the very presence of the latter affected the psychology of the former who conceived a vague idea of spectacular political changes which might bring about their early release. They all became anti-British in mentality. One curious instance of this was found in an intimate conversation between two B class prisoners convicted for theft. They had taken up the duties of 'mehtar' or latrine cleaners. To induce prisoners to take up such work, which has a stigma attached to it according to our social custom, they are offered certain special privileges such as enough leisure, use of mustard oil, soap, etc. which are denied to other convicts. We were then in an Association Ward on the first floor of a large building. At about dusk one of us, named Ajit Ghose went down stairs to case himself. While in the latrine he heard the aforesaid conversation. The two convict sweepers who

were squatting comfortably at a corner of the latrine compound were exchanging notes about their thieving exploits. Ajit Babu became interested in their conversation and waited in the latrine to hear them out. At the conclusion of the talk the man who had the last say observed -- "Brother, whatever may happen I am not going to give up stealing as long as the British Raj is there".

There was another interesting episode with a different moral, throwing light on the temperamental difference between Hindus and Muslims. There was amongst us a prisoner named Satya Babu who was a lawyer. One morning Satya Babu, myself and one or two others had been taken to the office building in connection with our interviews or something else. We saw several new arrivals transferred from some other jail handcuffed to the veranda wall of the building; they were ordinary convicts. One of them had a long deep ghastly cut mark across his cheek eye corner and side of the forehead. Satya Babu became curious asked him as to how he had come by that injury. The convict replied that he got it because he had violated a precept of his master. Satya Babu then asked him what the precept was and the man replied "it was not to commit theft at the house of a Muslim". Mystified, Satya Babu again asked, 'how could that make a difference ?' The man said, 'Babu, the Hindus are gentlemen, they do not do us any harm even when they see us, but Muslims are savages, they attack!'

I recall another curious matter and am relating it for the sake of the humor involved. For lack of proper facilities in the jail for cleansing the teeth many of us had warts at the base of our teeth. Some of us had it before imprisonment. But in jail these rapidly extended. One of us showed his teeth to Col. Simpson who prescribed lemon juice for it. That proved to be of no effect. One day I read in a treatise about stone being formed at the base of the human teeth. Before I read it I had no knowledge about this. I put my new knowledge forthwith into practice. We were not allowed the use of knives in the jail. So we used to take small pieces of iron tapes from broken iron cots and make them into knives by sharpening them by prolonged grinding on stone. I attacked my warts with my improvised knife and became amazingly successful. Looking at Suren Babu's teeth I found them even worse affected by warts. I at once told Suren Babu of the successful treatment I had given to my own teeth. Suren Babu also began similar operation on his teeth and in the course of his endeavor badly cut a corner of his mouth which began to bleed profusely. He looked into his tiny hand mirror and notwithstanding the pain caused by the cut gave a broad smile. Seeing me surprised he said with blood smeared tongue and lips that his pleasure at the sight of his stunning teeth cleared of warts was far greater than the pain caused by the cut and his smile was symbolic of the ecstasy of the blood-bathed new mother at the sight of her baby inspite of the pangs of childbirth ! We had a hearty laugh over this joke.

During the last few months of our imprisonment Suren Babu and myself were kept in Ward No. 6, a small ward with about half a dozen rooms somewhat bigger than the rooms I found in the much larger ward where we had been first accommodated. Here I

felt more comfortable than anywhere else. Amongst others I found here, Babu Sris Chandra Chattapadhyaya whom I had first come to know while going to the Nagpur Congress. Here I got opportunity to know him more intimately and became impressed with his qualities of head and heart. He was treated with great respect by the Jail staff.

We were given no newspapers and I spent most of my time in studying the Holy Quran. As I began to understand it more and more I got a glimpse of its powerful influence and fascination. In the afternoon we used to have walks on the big lawn in front of our ward. Competitive kite flying was in those days a popular sport at Dacca. Paper kites cut off in such competitions very often came into the Jail compound and some young political prisoners had a hobby of catching and collecting them. In the grim jail atmosphere this provided a good deal of fun and excitement. Some of the prisoners were very good singers and quite frequent performance by them was to us a source of genuine pleasure. Political and other discussions were naturally almost interminable. We all felt convinced that Swaraj which at one time seemed to be almost within our grasp had receded to the dim distant future. Sris Babu who never believed in non-violence now seemed to be all the more convinced that the Gandhian methods were bound to fail. But no one could suggest a feasible alternative method, and the faith of the rank and file in Mahatma Gandhi, though somewhat diminished still continued. Purna Das of Faridpur of terrorist reputation, who figured in several daring 'Swadeshi' dacoities and who was a Security Prisoner was also with us for some time. His polished gentle demeanor and his ready broad smile disclosed little of the terrorist within him. We were allowed to write probably one letter every month. The letters we got from relatives and friends were badly mutilated and disfigured by the censors. From the trend of the remnants that escaped their ravages it appeared that even most innocent matters were also effaced. The interviews we were allowed were also few and far between. The female members of my family including my wife observed parda and they did not come to see me. The interviews were held under such abject surveillance that I was glad that our womenfolk did not come to see me although I felt so eager to see them. However many male relatives and friends paid visits. They could convey nothing about the political situation because that was not allowed. It was apparent however that the phase of the struggle that found us in prison was at an end. With the decline of the movement my anxieties for my family increased. Information percolated to us that many lawyers who had suspended practice were resuming the same. But I thought it would be difficult for me to make up my mind to do so. I learnt with regret from my interviewers that the 'Khaddar' shop I had started was in a bad way.

I was imprisoned in December, 1921 and in the normal course my release was due in December 1923, but taking the usual remissions I earned I expected my release sometime in September or October, 1923. I was behind prison bars during the entire year, 1922. One morning in February, 1923 a quite unexpected visitor came to see us. He was no other than Mr. G.P. Hogg, District Magistrate of Faridpur. Suren Babu and myself met him in a secluded place. He talked to us as if casually but he could hardly

conceal the purpose of his visit. In the course of the talk he asked us if we would like to join the bar after our release. I at once suspected that he was deputed by higher authorities to ascertain our views on the matter and if we gave an affirmative reply to his question this might be taken as an assurance to rejoin the bar and that might be made a plea to release us prematurely. So my reply to him was that our release was yet far off, that we were absolutely in the dark about the conditions prevailing in the country and that only after our release and a study of the prevailing situation we could decide our course of action. Suren Babu did not add anything to what I said. Mr. Hogg left us, apparently disappointed. Suren Babu and myself later on discussed the matter and we thought that if we had given him an affirmative reply we might probably have secured an early release. But it was unthinkable to secure such release even on the semblance of an "assurance". Not that we were not hankering for release. Prolonged imprisonment had naturally created such a desire in all of us. After what had happened at the interview with Mr. Hogg we thought that no early release could be expected. But quite unexpectedly one morning towards the end of February after we had been in jail for 14 months Suren Babu and myself received orders for release. We changed over to Khaddar dress in a room near the jail gate with mixed feelings of pleasure at our imminent release and of regret at leaving so many of our comrades behind, with whom we had become so friendly and most of whom we would probably never see again.

### **C. Post-Imprisonment Years: Change in Political Atmosphere**

On coming out of jail Suren Babu asked me to accompany him to the house of some of his relatives who lived at Dacca. It was the house of the father-in-law of Probhat Chandra Dutta, a pleader of Faridpur who was Suren Babu's wife's brother. We spent a pleasant day there and in the afternoon attended a public meeting at which an ex-professor who had been a prisoner with us, but had been previously released was the main speaker. I felt depressed to observe the comparative apathy of the small audience. The meeting appeared to be a faint shadow of political meetings held before our imprisonment. I sent a wire to Faridpur about our release and my expected arrival there. When I reached Tepakhola (Faridpur) steamer station next morning I found that a fairly large number of people, mostly Muslims came to receive me. I was taken in a procession to Nasir's house. While in jail thought about my father's financial difficulties greatly tormented me. I learnt from Nasir with surprise and a feeling of relief that the Provincial Congress had regularly given a monthly grant of Rs. 30 to my father during my imprisonment. To my question why Nasir did not give me this intimation while I was in jail Nasir said he had written to me about it. This letter never reached me and was most likely withheld or the relevant portion defaced by the censor. A day or two later I went home and to my father-in-law's house where my wife and child were living. I found to my great pleasure that my wife had learnt spinning fairly well and had a sari prepared for her by a local weaver with the yarn spun by her.

I was naturally anxious to do something to earn a living. I felt a strong reluctance to rejoin the Bar. I found that the Khaddar shop I had started did not at all prosper after

my imprisonment and my friend Moulvi Habibur Rahman whom I had left incharge of it amalgamated it with the shop of a young man Khalilur Rahman, son of another devoted companion and friend of mine, Munshi Abdur Rashid of Kamarpur. I found that the assets I had left had vanished and the shop practically belonged to Khalilur Rahman. So nothing was to be expected from that source.

I spent about a couple of months at Faridpur at Nasir's house studying the situation and thinking about future plans. During this time I went once to Calcutta and paid a visit to the 'Howrah Hat' a very renowned mart. During my observation of the activities in the market which assembled once a week I was attracted by a particular business which might be within my means to adopt. It was the businesses of purchasing hand spun lungies' and saris' from another famous market at Kumarkhali in the district of Nadia and retailing the same at a profit at the Howrah market. After some deliberation I decided to start this business if I could procure the little capital it needed. I had practically no money at my hand at this time and so I was in a fix. While at home I had a talk about this prospective business in presence of my aunt Sabja who surprisingly presented me with a sum of about Rs. 350 her life's saving. It was a touching scene. This enabled me to become a 'bepari' (a petty dealer). When I purchased lungies at Kumerkhali 'hat' I was addressed as 'bepari saheb' and in the beginning I felt annoyed to be so addressed. I used to go to Kumarkhali the day previous to the market day, spend the night under great hardship and make my purchases the next morning either direct or through professional commissioned agents. Luckily I became friendly with a family of established dealers in the same line who had a godown of their own in the market and one of whom had a shed at Faridpur and was intimately acquainted with me. I used to have my meals with them. There was no latrine attached to the godown or in the market and people used to go to distant fields to ease themselves at early dawn. That was an ordeal which I shall never forget. After making purchases, I used to make them, with my own hand, into a big bundle which was carried to the railway station about half a mile off, and booked for dispatch to Calcutta. Along with other 'baparies' I used to go to Calcutta by a slow passenger train reaching Sealdah station next morning, from where it was taken by coolie to the Howrah Hat. On one occasion while walking with the coolie who was carrying my bundle I lost track of him in the crowd near the Howrah Hat. I searched for him for a long time in vain and was suspecting foul play, when all of a sudden he appeared from a lane and began to accuse me for losing track of him. He said he had been searching for me for long and felt greatly worried. There could be no doubt that he was telling the truth.

This business demanded active work only for two days in the week, for purchasing at Kumarkhali hat and selling at Howrah hat. I felt very dull during the rest of the week. So I engaged a young lad who had passed the matriculation examination and did not yet succeed in getting a job to assist me in my business by working as a hawker in Calcutta during the rest of the week. But the profit that I was making was not encouraging. I found that established 'beparies' did hardly buy at the Kumarkhali Hat.

They used to advance money to weavers and got the finished products direct from them at much cheaper rates. They could easily undersell men like me. The hawking part of the business hardly showed any better results. But I stuck on expecting to do better as I gathered more experience. But my business career was abruptly cut off under unexpected circumstances.

I have always been absurdly shy throughout my life. I am particularly so in all matters involving myself interest. When the question of livelihood drove me to become a petty cloth dealer, Mr. C. R. Das was the mayor of Calcutta. If I had approached him he could easily have provided me with a lucrative job. But both because I did not like to fade away from public life and of my shyness I did not even see him after my release.

Even while in jail I had heard about the split in the Congress ranks on the issue of Council entry. The annual session of the Congress in 1922 was held at Gaya and Mr. Das was the President. He put forward a programme of Council entry to fight the Government from within to advance the cause of Swaraj. He was supported by Pandit Motilal Nehru and a large number of other delegates. But the majority of the delegates under the leadership of Mr. C. Raja gopalachari defeated the move. So there was a split and, Mr. Das formed the 'Swaraj Party' to give effect to his programme. His party men began to be called 'swarajists' as against the 'no-changers' led by Raja gopalachari. In the absence of any spectacular Congress activity the 'swarajist' programme became very popular in several provinces, particularly amongst the Hindus. Ever since the calling off of the non-cooperation movement by Mahatma Gandhi early in 1922 the bond between Hindus and Muslims became loose. Communal differences again cropped up culminating in riots in many places. Mr. C.R. Das, no doubt, made a bold attempt to cut the very root of Hindu-Muslim differences and to wield them into a solid entity of fight for freedom. He realized that Hindu-Muslim differences were due both to political and economic causes and he formulated the Bengal Pact conceding to the Muslims seats in the Legislature and appointments under Government when Swaraj was attained, in full accordance with Muslim demands. In the Calcutta Corporation he conceded even unexpected privileges to Muslims in respect of new appointments with immediate effect. As Communalism had again raised its head many Hindus grumbled at these concessions, but Muslims who had joined the Non-cooperation movement became satisfied. The Pact was placed before Coconadu Congress in 1923, but was rejected by the Hindu majority which considered it to be too liberal to the Muslims. Mr. C.R. Das, however, whose leadership in Bengal was unrivalled got it accepted at the Provincial Conference at Faridpur in 1924. But his end was near and he died in the spring of 1925 at Darjeeling. There are many who think that if he lived for a few more years history of the sub-continent might have taken a different course. Hindu-Muslim differences were all the same of such a radical character that the influence of one single man, however strong, could at best provide a temporary diversion of the natural course of history but it could hardly lead it to a different destiny unless some social upheaval uprooting the causes that divided the two peoples intervened.

The Congress passed through one of the worst periods in its history after the split at Gaya in 1922. The collapse of the Non-cooperation movement was in itself a shattering blow for the time being. The darkness of the picture was heightened by the unseemly and suicidal feuds between 'No changers' and the 'Swarajists.' The situation was, however, greatly relieved when in September, 1923 at a special session of the Congress at Delhi there was a compromise between the two factions and 'Swarajists' were allowed to pursue their own programme. I attended this special session presided over by Mowlana Abul Kalam Azad who was largely responsible for the compromise. Eventually the Swaraj Party became the Council Entry Wing of the Congress. Their activities revived public enthusiasm to some extent. The constructive programme followed by the 'no-changers' was after all, a tame affair.

The new elections were due in 1924. Mr. Das began his campaign well in time. He was anxious to find out suitable Muslim candidates. As regards Hindu candidates there was no dearth of them. He sent for me and asked me to help him in inducing good Muslim candidates to fight the elections on behalf of the Swaraj Party. I was reluctant but could not say 'no' to him. My humble business was wound up and for about a couple of months I visited different places and contacted various prospective candidates. During my tours I found a general warmth on the part of Muslims with regard to the Congress. My mission met with only a limited success and I concluded the task by submitting a report to Mr. Das. The months I had been in the cloth dealing business were perhaps the most grueling period in my life, and although its abandonment made me jobless again I felt relieved when rescued from it by the fortuitous intervention of Mr. Das.

#### **d. Father's Death**

Sometime after I had finished the work entrusted to me by Mr. Das I went home and found my father laid up with fever. It was the spring of 1924. Meghu, our domestic servant, had become a member of our family. In those days he had to do almost everything that a male member is required to do, under the supervision of my father. My father had a chronic stomach trouble for which he used to take whey. Meghu had brought a quantity of whey from the Fultala hat, after taking which he fell ill. I suspected that there was something wrong in the whey. At that time Dr. Banka Behari Kundoo was the best amongst the local doctors. His diagnosis was that father was suffering from a serious type of pneumonia. His treatment was of no beneficial effect and he said ultimately that he could not be of any further use. I then called a local homeopath who also was equally unsuccessful. After suffering for about 10 days he breathed his last one day at mid-night. The entire family was overpowered with grief. We spent the rest of the night by his bedside and most of the time I was reciting the Holy Quran a substantial portion of which I had learnt by heart while in jail. The heroic struggle of my father to maintain his family under tremendous odds and particularly his determination to have me educated, which was his life's ambition, whatever might



be the difficulties in his way, was a unique example of idealism and self-sacrifice the equal of which I have hardly seen amongst our people. It has been an abiding regret in my life that he passed away before I was capable of giving him real financial relief and before he had the satisfaction of seeing me prosper in life. He was however perfectly contented and I never found him grumbling on account of his poverty. He was quite happy that he had fulfilled his life's mission by having me educated even beyond his early expectations.

The next morning I sent a wire to Nasir giving him the sad news. My father loved Nasir almost as dearly as he loved me and Nasir was also greatly devoted to him. Within a couple of hours or so Nasir came from Faridpur accompanied by the Imam Saheb of the Chawkbazar Mosque at Faridpur, Munshi Mohammad Osman Khan, Munshi Abed Mean and several other persons who were my close associates. The Imam Saheb led the funeral service. Father was laid to rest in the eastern outer compound of our homestead.

On the day of his *fateha* (Prayers invoking forgiveness and blessings for the departed soul customarily followed by a feast) besides the people of our locality, all our relatives from other places including my father-in-law and Nasir and many friends from Faridpur assembled at our house. They availed of this opportunity to have a discussion about my future. They were unanimously of the opinion that I should rejoin the Bar and insisted that I should do so. I had not yet been able to make up mind, but I did not disappoint them altogether and said that I could not but seriously consider their advice.

#### **e. Resumption of Practice**

Sometime later I decided to rejoin the Bar. The house I lived in when I suspended practice was now in the occupation of some other lessee. So I rented another house consisting of a few tin-roofed structures from Kazi Faizuddin, a retired Mukhtear. It was just opposite to the Thana Premises and within a stone's throw from the house of Nasir. An unexpected difficulty in the way of my rejoining the Bar now intervened. I made an application to the District Judge to recommend to the High Court the renewal of my license to which I got a reply to the effect that my application could be considered only if I expressed regret for joining the anti-government non-cooperation movement. All my friends advised me to comply but I found it extremely difficult to induce myself to do so. Apart from the humiliation involved in such an apology I found that if I did so I would be guilty of a falsehood, because there was no regret whatsoever in my heart for having joined the movement. At one time it appeared that there was no way of crossing this hurdle. At length I wrote a somewhat ingenious letter to the District Judge to the effect that the very fact that by applying for license to practice I was going to surrender myself to the discipline of the Courts established by Government might well be taken as more than a mere expression of regret. The Judge recommended my application and I got back my license. I rejoined the Bar about the middle of 1924.

It did not take me long to overcome the obvious difficulties created by suspension of practice for more than three years. Again I became well established in practice. Babu Srish Chandra Banerjee, who had long been the Government Pleader of Faridpur made a remark one day before my suspension of practice to the effect that in all likelihood I would be the next Government Pleader. On my release from imprisonment I found that Srish Babu had died and in his place a prominent Criminal Lawyer, Babu Nalini Kanta Sen was appointed as the new Government Pleader. Had I not suspended my practice it was not unlikely that I would have succeeded Srish babu.

I have already referred to the Council elections that were to be held in 1924, in connection with which I had been deputed by Mr. Das to find out suitable candidates. As regards my Constituency (Faridpur North consisting of the Sadar and Goalundo Subdivisions) I was asked by Mr. Das whether I would like to stand from there. In my unsettled condition I did not like to stand and ultimately Khandkar Abdul Aziz of Kamarpur, a colleague and a close associate of mine in the non-cooperation movement stood from that Constituency on behalf of the Swaraj Party. He had not much schooling but he had a winning and forceful personality and was a very good speaker with a sparkling humor. The pro-government candidate who stood against him was Syed Muhammad Massih, Bar-at-Law, younger brother of the celebrated Syed Shamsul Huda who had been a prominent lawyer in the Calcutta High Court Bar, from where he rose to the position of a member of the Governors' Executive Council and then of the President of the Bengal Legislative Council. Thus formidably opposed and financially handicapped Khandkar Abdul Aziz put up a heroic fight. I threw myself headlong in the election campaign. But the old Hindu-Muslim differences which had raised their heads after the suspension of the non-cooperation movement had an adverse effect on our struggle. Many Muslims who had been in the Congress-Khilafat movement refused to support the Swaraj Party candidate who was supposed to be pro-Hindu. Moreover the difference between the two candidates in educational qualifications was a factor that weighed with many. Even my father-in-law lent his influential support to Mr. Mussih, on account of which there was a temporary estrangement between him and me. Our candidate polled a large proportion of the votes, but was defeated. In the entire Province the Swaraj Party did well, by winning most of the General (Hindu) seats and also a fair proportion of Muslim seats. In spite of the growing communal atmosphere the success of the Swaraj Party in winning quite a good number of Muslim seats was due to the personal qualities of its leader Mr. Das, who in the face of strong opposition maintained a refreshingly liberal attitude towards Muslims in the larger interests of national unity and the ultimate goal of freedom of India.

### **The Book Business**

The idea of carrying on some sort of trade was ever present in my mind. After resuming practice, while living at the house of Kazi Faizuddin I had a small book shop started renting a shed attached to the Chawkbazar Mosque. My family at Faridpur now included not only my wife and daughter Champa who was now about 3 years old but

also my brother Abu and my nephew Nuruzzaman. I entrusted these two boys to run the shop. They proved a failure. While the shop was deteriorating a friend Moulvi Ghyasuddin intervened. He was a Sub-Registrar posted at Faridpur. Later on he became distantly related to me. He was a son-in-law of Moulvi Abdur Rashid Choudhury of Raipura, Dacca. Through Moulvi Ghyasuddin initiative my brother-in-law Abdul Quader was married to a daughter of Moulvi Harunar Rashid Choudhury who held a clerical post in the office of the Commissioner of the Dacca Division and who was an younger brother of Moulvi Abdur Rashid Choudhury. Moulvi Ghyasuddin was a very active man and possessed a creative mind. He also had an acumen for business. He joined my small book-business and took charge of its management. The shop was renovated and enlarged under the name of "Faridpur Book Depot" and was shifted to a portion of my office building, which was separated by a partition from my office-room. Under his management the shop was flourishing, but after a few months disaster overtook it. One afternoon on my way back from Court someone gave me the shocking news that my house was on fire. I rushed back home only to see my home was no more. All the structures including the shop were reduced to ashes. I came to learn that the fire started at the cook-shed of a clerks' mess to the contiguous west of my house most likely through the negligence of the cook maid servant Surati, a quarrelsome woman of an uncertain temperament. My wife had a narrow escape and was helped with her child to the house of Nasir. The few valuables we had were saved by the people assembled but I lost an object which I prized very much, a watch chain of gold, which was a wedding gift from my father-in-law. The accompanying watch was previously lost from Nasir's house while I was in jail.

After my house was burnt down I lived with my family at Nasir's house for a few weeks. Luckily the house I previously lived in now became vacant and I rented it once again. I was very happy to go back to that house. My brother Abu who had already been brought back to Faridpur after my resumption of practice was admitted to the Maizuddin High Madrassah. I had also brought to my house at Faridpur my sister's son Nuruzzaman and got him admitted in another High School. My daughter Champa was now about 4 years old. We were living happily when a terrible tragedy overtook the family.

### **Champa's Death**

One evening on return home from somewhere I saw Champa wreathing in pain on bed and bleeding profusely from her right wrist. She had a fall on the courtyard and a glass bangle on her wrist-broke. She had a serious cut at the wrist caused by the broken bangle. A main blood vessel was pierced or severed. Dr. Kiran Roy, M.B. was called in. He bandaged the wound tying up the left arm with a plank. The bleeding however continued for several days.

She remained bed-ridden for a long time and eventually was attacked with "kalazar". This disease was then raging throughout the country. Thousands died of the fatal

disease. A new injection named 'Urea-stebamin' if I remember correctly, by Dr. Brahmachari of Calcutta was considered to be an effective remedy. This injection was prescribed for Champa. Dr. Kiran Roy started to give the injections. Then I did an act for which my heart has been bleeding ever since. I was hard pressed for money and at the advice of a friend I engaged a cheaper hand to administer the injections. The latter had the reputation of being an expert in giving intravenous injections. But his academic achievements were of an inferior type and I was told later on by other doctors that the new man had given overdoses of the injection. Alarming symptoms ensued. Champa expired at 10 P.M. on Sunday the 28th Bhadra, 1332 corresponding to the 13th September, 1925.

During her illness I had a vivid dream of a scene ending in Champa's death. At times during the last phase of her illness she used to say that her playmate Shajan who died earlier was asking her to come away. Long before her illness while she was at her maternal grandfather's house with her mother there was an extraordinary happening. I was also there at the time. One morning I was alone with Champa, about 3 years old then at the 'Namajghar' (prayer house), isolated from the main premises. While we were talking about trifles, strangely enough and all of a sudden Champa said "father, I shall die and there will be another Champa". I felt a terrible shock, and asked her not to utter such things; she said nothing else.

My wife was in an advanced stage of pregnancy when Champa died. Seventeen days after her death, on Thursday the 15th Aswin, 1332 corresponding to the 1st October, 1925 at 2 P.M. my next daughter Fatema was born. It so happened that Fatema's birth date synchronized with the "Youmunnabi", the birth day anniversary of the holy Prophet of Islam. As she came into the family so soon after Champa's death she partly filled the void left by Champa, and was involuntarily referred to as Champa on occasions by the members of the family for several weeks uncannily verifying the mysterious prediction uttered by Champa.

#### **f. I Leave Congress**

As time went on communal tension in the subcontinent increased. Communal riots were started at the slightest pretexts. All hopes about Hindus and Muslims continuing to struggle jointly for liberation from foreign domination were vanishing into thin air. Muslim fears of domination and suppression by an intolerant Hindu majority in a liberated India once more pervaded the atmosphere. The Hindu Mahasabha was revived and envisaged a more aggressive and militant attitude towards Muslims. Though the Congress attitude in general was more tolerant, there were innumerable people in the Congress who covered their communalism under the cloak of nationalism. In such circumstances I naturally became greatly perturbed in my mind and though I was still in the Congress I became lukewarm and apathetic. What startled me the most was the conduct of a great Congress leader Swami Sreedhananda in starting the 'Suddhi movement'. Time was when, during the heyday of the Congress-Khilafat movement he

was a hero also to the Muslims, who had taken the most unprecedented step of inviting him to ascend the sacred pulpit of the Delhi Jama Masjid to address the gathering. The Sudhi or Purification movement was aimed at purifying by re-conversion the Muslims of the sub-continent who, the Mahasabha claimed, had been originally Hindus and were converted to Islam. The movement resulted in mass conversions of certain classes of Muslims such as the Malkana Rajputs. This was a great shock to the Muslims of the sub-continent. I lost all faith in any joint struggle for the liberation of the country. It revealed to me the dangers that lay ahead for the Muslims of India and my old convictions that the Muslims must combine under their own separate flag to safeguard themselves from this danger, which lay dormant for a time, now revived and became a guiding force. I was no longer a Congressman by faith and was looking for a suitable opportunity to make an open exit from the organization. The Municipal elections that intervened provided such an opportunity. Although there were separate electorates for elections to the Legislative Councils both Central and Provincial, elections to Municipal and other local self-governing bodies continued to be held under a system of joint electorate. To prove the communalism of the local Hindus in general, I sought election to the Faridpur Municipality from a Constituency in which the Hindus were in a majority. As I expected and almost hoped, the majority of Hindus voted against me and in favor of a candidate belonging to their own faith though no fair minded person could consider that candidate to be more deserving than me. I made this an excuse and left the Congress. This happened early in 1926 as far as I remember.

#### **e. Anjuman-i-Islam Revived**

The Muslim League which lay dormant during the Non-cooperation movement was still hardly awake. After leaving the Congress I took steps to revive the Anjuman-i-Islamia which also lay dead during the Congress-Khilafat movement. I was again elected as the Secretary. My activities as Secretary of the Faridpur District Congress Committee had made me more widely known throughout the district and this enabled me to make the Anjuman more broad-based than before. It soon regained and even exceeded its former popularity. Since the main objective of the Anjuman was to promote and safeguard Muslim interests, particularly in respect of Government patronage it had naturally to cooperate with Government. In the initial stages after the revival of the Anjuman there was one difficulty in this respect on account of my being the Secretary of the body, because Government officers were prone to look at me askance on account of my past associations. As an instance of the attitude of Government officers towards me it may be quoted that some time after my release, in my absence and without my knowledge I was elected as a member of the Governing Body of a Government aided High English School named the Ishan Institution. The District Magistrate wrote to me quoting a rule that people in my position were disqualified to be members of such Governing Bodies and suggesting to me that I should resign. I had no intention to fight over this matter and resigned. This was of course before the revival of the Anjuman.

Amongst other activities of the Anjuman the Prophet's Birth day Celebrations and the Annual General meeting during the month of Maharrum with its attendant meetings and functions began to be held with great enthusiasm. As Hindu-Muslim relations went on deteriorating the two communities were virtually converted into two warring camps prone to clash at the slightest cause. The Hindu Mahasabha was widely organized with branches all over the country. A strong branch was organized at Faridpur. Many of my erstwhile Hindu Colleagues in the Congress were now stalwarts of the Hindu Mahasabha. The Anjuman-i-Islam was an eyesore to the Mahasabha.

One of the main causes of Hindu-Muslim friction was the issue of playing of music before mosque. There was a time when Hindu-Muslim relations were better and a custom grew up for Hindu processions to stop music while proceeding past mosques just as they did so near hospitals. But as tension between the two communities developed Hindus began to assert their civic right not to stop music in front of mosques, Muslims objected to such practice on the ground that it disturbs Muslims in their daily prayers and other devotional practices and wanted Hindus to respect the time honored custom of stopping music before mosques. Hindus turned a deaf ear to such objections and there were frequent and sometimes bloody clashes over it all over the country.

At Faridpur the Chawk-bazar Mosque is situated near the junction of two main roads. Within a stone's throw there stood a Hindu temple. In 1925 or 1926 there was great tension between the two communities over the question of the tolling of bells in the temple just at the time of congregational prayers at the mosque at dusk. It was a most difficult issue as both sides based their claims on their respective religions. One night some miscreant hung the leg of a dead cow on the temple and the whole town was aflame when the discovery was made in the morning. Local Muslims denied all knowledge about the perpetrator and rather suggested that some irreverent Hindu had committed the sacrilege to malign the Muslim community. The Anjuman-i-Islamia, at my initiative rejected such insinuation and assuming that the act had been committed by a mischievous Muslim fanatic, held a public meeting and adopted a resolution condemning the act. This had only a temporary soothing effect, and tension very soon reappeared in a more virulent form. A Hindu religious ceremony came off and a big procession was to proceed past the Chawk-bazar mosque. As it was obvious that the procession was not going to stop music while passing the mosque, the Muslims in the vicinity of the mosque made preparations to offer opposition. Eventually there was a minor clash and the Hindus instituted a criminal case in the court of a Magistrate who was a Hindu. I was also made an accused although I had no knowledge about the incident. This shows how deep was the distrust and hostility between the two communities. One who had been in the recent past an idol of the entire people of Faridpur could now be falsely charged with a criminal offence on no other than communal considerations. However I was one of the large number of accused persons

who were not summoned by the Magistrate. Only about 10 persons were summoned to answer the charges.

There were only a few Muslim lawyers at Faridpur. Moulvi Abdur Rahman, the senior most, able and experienced was crippled. He had to be carried by two men to the courts and back from the Bar Association premises. No Hindu lawyer was available or could be trusted to represent the Muslim accused persons. Moulvi Abdur Rahman assisted by me and the only other Muslim lawyer Moulvi Harunar Rashid had to defend the accused. In consideration of Moulvi Abdur Rahman's physical condition the main burden fell on me. The first act I was to perform was to move the District Magistrate for transfer of the case from the court of the Hindu Deputy Magistrate. This was a tricky business as there was no Magistrate who was neither a Hindu nor Muslim. So I had to suggest that the District Magistrate himself who was an Englishman should try the case. The District Magistrate asked an intriguing and significant question, "how can you be sure that I have no bias and will you have confidence in me ?" I replied that on the question of bias he had to search his own mind and if after doing that he decided to take on the case himself the Muslims would certainly have full confidence in him. The District Magistrate eventually took the case to his own file.

At the hearing I had to cross examine most of the prosecution witnesses and Moulvi Abdul Aziz Choudhury who was a very able and leading Mukhtear cross examined the rest. It was decided that Mr. H.S. Suhrawardy, Bar-at-Law should be engaged to argue the case on behalf of the accused. I went to Calcutta for the purpose. Time for preparation was very short but curiously enough he did not utilize the time available to study the brief and on one occasion he said he would give them hell. On the morning of the argument he had a sitting with Moulvi Abdur Rahman and other defence lawyers. A very subtle point was brought out in cross examination under the guidance of Moulvi Abdur Rahman which if properly placed might induce the court to hold that the acts alleged against the accused did not constitute any offence. Moulvi Abdur Rahman explained the point to Mr. Suhrawardy. At the time of argument the latter did not at all refer to the point and it was clear that he did not catch the point at all. Babu Mathura Nath Maitra on behalf of the prosecution very ably argued the case citing a large number of authorities and Mr. Suhrawardy, true to his promise hurled innumerable volleys of pungent abuse against the prosecution lawyers and the Hindu community in excellent English and his superb style. He hardly referred to the merits of the case. Many Muslim spectators heartily enjoyed the abuse. In the verdict, however, the accused persons were convicted and fined Rs. 10 each. It was a bad defeat for the Muslim Community.

The result of the case made Hindus jubilant and more aggressive. The Muslims sobered down for a time, but the tension continued. Matters came to a head again when the Hindus fantastically laid a claim to the historic mosque at Satoir in the Sadar Subdivision of the Faridpur District, alleging that the ancient unique structure was a

Hindu temple and not a mosque. This happened while Mr. L.B. Burrows was the District Magistrate. The Hindus eventually took the matter to court but the Anjuman successfully resisted their claim which was rejected. Mr. Burrows was an officer of great initiative and drive. He took up the issue of music before mosques with the leaders of the two communities and after protracted parleys the question was amicably settled. The terms of the settlement were recorded in a document which was signed by the District Magistrate, myself on behalf of the Muslim community and a representative of the Hindu community. The gist of the agreement was that processions might not play music while proceeding past mosques at stated times during the five congregational prayers including the "Juma" prayers.

#### **f. Elected to The Bengal Legislative Council**

Too soon after resumption of practice I was faced with a piquant situation and I had to make a decision which had a most important bearing on my career. The new elections to the Bengal Legislative Council were due at the end of 1926. When the notification calling for the elections was issued I naturally felt impelled to stand as a candidate. But I had absolutely no money to run an election. Though I was earning more than the average lawyer at Faridpur it was not possible to save anything as I had a fairly large family to maintain. Moreover, I was rather too liberal in entertaining guests. Many of my clients, particularly those belonging to the gentry were my guests. Any other man of my financial status would perhaps have never thought of offering himself as a candidate for election to the Legislature of the Province. In my case however ambition far outstripped prudence. After consulting Nasir and a few other friends I decided to stand as a candidate.

Besides myself two other persons filed nomination papers. One was young Choudhury Moazzam Hossain alias Lal Miah, son of Khan Saheb Choudhury Maizuddin, a local landholder wielding great influence and the other was Moulvi Abdul Karim who had previously been elected uncontested as already mentioned elsewhere. The latter was not prepared either by temperament or on the score of popularity to contest an election. His only chance lay in being able to induce the Returning Officer, the District Magistrate, to reject the nomination papers of his rivals at the time of scrutiny. His attack on my nomination was rather feeble as it had no legs to stand upon, but he almost succeeded in having Lal Miah's nomination paper cancelled. His plea was that Lal Miah had not attained the requisite age of 25. I believe his plea was correct. Lal Miah's School admission register was requisitioned by the Returning Officer for inspection but probably the influence and resourcefulness of his father came into play behind the scene and the register that was produced did not bear out Moulvi Abdul Karim's contention. Lal Miah's nomination paper as also mine was declared valid and Moulvi Abdul Karim discreetly withdrew from the contest. So the fight was between a wealthy and influential landlord and a penniless young lawyer whose only asset was his past activities and readiness to serve the poor, particularly the suppressed and impoverished peasantry.



Several things helped me in my election campaign. More than 90 percent of the population were peasants who were despised and exploited by the landlords and as such were not well disposed towards the latter. I had taken a leading part in the peasant movement against landlords. My work as the Secretary of the Anjuman-i-Islamia made me generally popular amongst all classes of Muslims. Above all my incarceration in connection with the Congress-Khilafat movement established for me a place in the heart of the people. Muslims were glad to find that though I had joined the Hindu dominated Congress to fight for religion and liberation of the country from foreign domination, I left the Congress when I found that Muslim interests were no longer safe in the hands of that body. My supporters also made pointed references to my academic qualifications vis-a-vis my rival's lack of it.

Lal Miah though lacking in academic attainments is a man of keen intelligence, tact and foresight. He is also a very good speaker. Two things went heavily against him. One was his position as a landlord and the other his adherence to the Hindu dominated Congress. His influence as a zemindar did not help him at all and most of his tenants secretly gave their support to me. What I was most afraid of was his wealth as against my pennilessness.

Feeling the pulse of the constituency, Lal Miah made a desperate bid to purchase me. He made a tempting offer to me through one of his trusted supporters, Shah Abdul Mannan alias Chand Meah of Laskardia, Police Station, Nagarkanda, when I went to Laskardia in the course of my election campaign. Chand Meah posed as a sincere well-wisher to me and advised me to establish my practice, build a house of my own at Faridpur and have a bank balance before going in for costly and illusory Parliamentary politics. On behalf of Lal Miah he offered to pay me a substantially amount of money to help me build a house if I withdrew my candidature. The offer was of course forthwith rejected.

Except the Swaraj Party there was no other organized party in those days to run elections. So, barring Swarajists, other candidates stood as independent. Independent candidates after election attached themselves to certain leading members. Sir Abdur Rahim, who had retired from Government service shortly before, decided to enter politics and stood as a candidate for the Bengal Legislature. His talents and reputation made a deep impression on me and I was thinking of joining his group if I was elected. I had no idea then that certain other leaders, at least one, was already canvassing support from candidates with an eye to Ministership. One day I was surprised when an emissary of such a leader visited me at my house and offered to pay me some money, to help me in my campaign in case I agreed to support Sir A.K. Ghaznavi for Ministership. Though penniless I rejected the offer as I had far greater regard for Sir Abdur Rahim than Sir Ghaznavi. I knew them only by reputation and had not seen either till then.

My constituency consisted of the two entire northern Subdivisions of the district, namely Sadar and Goalundo. The remaining two Subdivisions of Madaripur and Gopalganj formed another constituency. It was a gigantic task to carry on a campaign over this vast area, particularly without financial resources. Luckily my candidature had created such wild enthusiasm that hundreds of people, knowing I had no money, taxed their own pockets to canvas for me and never mentioned to me that they did so. When the little money I had was exhausted I took recourse to borrowing. Nasir gave me small sums and through the good offices of a common friend Mr. Mujaffar Ahmed, who though then serving as a Sub-Inspector of Schools, became very popular on account of his public spirit and sociableness, I got a loan in secret from Babu Indu Bhusan Sarkar, a local Zeminder. Indu Babu wanted to keep the transaction a secret as like all other zemindars, he was 'supporting' Lal Miah. I was also equally anxious to keep it a secret as I was all out in support of the tenantry as against the zemindars. I really felt awkward to accept such a loan, but seeing my plight Moulvi Mujaffar arranged it almost in spite of me. On the polling day I found myself in a very embarrassing predicament as I had not money enough to send out my workers to the various polling centers with small sums to meet expenses for the customary '*pan*' and '*biri*' with which voters are entertained. Knowing about my difficulty a man of very moderate means, Ainuddin Ahmed rushed to me with a sum of Rs. 200 as a most timely loan. I was deeply moved at this generous gesture from a man whom I hardly knew before. These loans I gradually repaid after my election, but I had no opportunity to repay the moneys spent by enthusiastic supporters who never disclosed such expenditure to me.

The influence of Pirs was an important factor in elections in those days. I secured the support of the Pir Saheb of Furfura who had countless disciples almost throughout the province and also the most valuable active support of Pir Badsha Meah who had a great influence in certain parts of the district of Faridpur and also in several other districts. Curiously enough, at the far end of the campaign Lal Miah also succeeded in getting in his support a pamphlet though in milder terms than mine, signed by the Pir Saheb of Furfura. Lal Miah also got an appeal in his support signed by unpredictable Mr. A.K. Fazlul Huq, who, as one of the very few leading Muslims in the province in those days, enjoyed a great popularity. I was surprised to see his support for Lal Miah as I thought he had great liking for me and was a genuine friend of the poor. I did not know then that he is the slave of the present, forgetful of the past and unmindful of the future. The appeal of the present in whatever direction is irresistible to him.

In the election struggle Nasir was a tower of strength to me. He had already become a leading Mukhtear and was very popular with his wide circle of clientele. He was also a very effective, perspicuous and convincing speaker. His unsparing efforts were of tremendous help to me. His talented clerk Mohd. Abdul Quader Sardar who had become very devoted to me was also of great assistance. It would be invidious to mention names. If I am mentioning the names of a few immediate associates this should not mean that I am oblivious of the debt of gratitude that I owe to innumerable other

friends for giving their valuable and selfless support to me. Khandkar Abdul Aziz and Munshi Abdur Rashid of Kamarpur, my constant associates Moulvi Habibur Rahman and Khandkar Abul Quasem, alias Nawsha Meah of Gotli, Munshi Osman Khan, Abdul Jabbar Khan and Basir Meah of Kamarpur, Munshi Messer Ali Bhuiya, Abed Meah, Abdin Meah of Chawk-bazar, Hafez Mohd Ibrahim and Rahmat Pal of Madhabdia, Moulvi Abdul Hamid Mallick, pleader and other Muslim lawyers of Faridpur, Moulvi Ahmed Ali Mirdah, pleader, Rajbari, Khan Bahadur Alimuzzaman Choudhury, Munshi Ghyasuddin of Pangsa, Munshi Madan Mollah were some of the gentlemen who gave me most active support. It is needless to mention that my father-in-law gave to me his most influential support as a matter of course. I shudder to remember the tremendous strain that my wife was to go through during the entire campaign in looking after the meals and accommodation of so many supporters who thronged my house during the period.

Elections to my mind are a necessary evil. Their devastating ill-effects are particularly lethal to social relations in an un-educated country like ours. Lal Miah however was a large hearted opponent. Even during the campaign his courtesy towards me evinced no sign of setback when we happened to meet accidentally on rare occasions, though he was naturally sparing no means whatsoever to defeat me. His younger brother Yusuf Ali Choudhury, who later on became a most prominent figure in the political arena of the country had admiration for me and though he had to work for Lal Miah to the best of his ability, did not seem to be happy over his brother contesting me. I may have to say a good deal more about these brothers later on.

Throughout the campaign the indications were that I would be successful. But I was never free from grave apprehensions on account of the lavish expenditure of money by my rival and his influence as a zemindar. On the election day I was dismayed by the array of Lal Miah's grand and gaily colored posters displayed at all strategic points at and near the polling station as well as the heap of '*pan*' and '*biris*' piled on mats in his camps at the booths. But to my great relief I found very few voters going to his camp and partaking of his *pan* and *biri* and even many of those who visited his camp, mostly his tenants, to keep up appearances, actually voted for me. I could however visit the town polling station and a few other neighboring stations on a hired car. The polling took place during two days. On the second day when I visited some of the stations I was astonished and unnerved to learn that Lal Miah had sent telegrams overnight to his agents stating that on the first day he was leading by an overwhelming majority and that I could not even secure two annas (one-eighth of a rupee) of the votes polled on that day. But all these tactics were of little avail and when the result was declared it was found that I had won by an overwhelming majority and Lal Miah saved his deposit by a very thin margin.

Shortly after the declaration of the result, I received a telegraphic message from Lal Miah congratulating me on my success. Since then my relations with Lal Miah grew

progressively warmer and far from there being another conflict with him there has been perfect amity and collaboration ever since.

### **g. I Attend The First Session of Legislative Council**

On being summoned to the first session, I was preparing to go to Calcutta for attending the same when Moulvi Ghyasuddin Ahmed told me that he was also going to Calcutta and suggested that I might conveniently put up in Calcutta along with him at the house of his relative Mr. Rezaur Rahman Khan of Dacca district, who had also been elected as a member of the Council. I agreed and we both went to Calcutta together and took up residence at Mr. Rezaur Rahman's house. I felt very awkward when I found out in no time that Rezaur Rahman was the son-in-law of Mr. A.K. Ghaznavi who was contesting Sir Abdur Rahim for the leadership of the non-Congress Muslim section of the Council. I had already decided to join the group of Sir Abdur Rahim unasked or un-influenced by anybody. It was now clear that Moulvi Ghyasuddin took me to the house of Rezaur Rahman according to a pre-arranged plan. I however made my attitude clear and no one actually asked me to support Sir Ghaznavi as against Sir Abdur Rahim. When the showdown came at a meeting of the Muslim members, I voted for Si Abdur Rahim who won by a substantial margin.

The Council used to meet in these days on the second floor of the Calcutta Town Hall facing the Maidan. After oath-taking, the first business was the election of the President of the Council. The Government had a dominant position in the house. It's natural supporters were the large European block and the nominated members. The support of the majority of the Muslim members was also counted upon. We were informed that the Government had decided that Raja Manmatha Nath Rai Choudhury, Zemindar of Santosh (Mymensingh) should be the President and were asked to support him. He was elected.

## CHAPTER V

### EVENTS LEADING UPTO THE TRANSFER OF POWER

#### **a. The Socio-Political Setting**

One can get a glimpse into the socio-economic conditions of East Bengal during the early part of this century from the life stories of Maulvi Tamizuddin Khan as recorded by him till 1926.

The overwhelming impression one gets from this account is that East Bengal at that time was entirely rural, with agriculture as the almost only economic activity of the people. The whole social fabric was rooted in agriculture and the class differentiation was based on the ownership of land. The only city worth the name was Calcutta in West Bengal; some industries had already come up there, for which raw materials like jute were being produced in East Bengal. In a very real sense, East Bengal grew as a hinterland of Calcutta, with prices of cash crops like jute being determined largely by the conduct and manipulations of the jute traders and jute industry based in or around Calcutta. The Divisional, District and Subdivisional towns in East Bengal had very few urban attributes, and had little influence on economic activities except through a rising demand for food-cereals, vegetables, fish, meat and poultry. In the village, the Hindus owned most of the landed property, because they were smart enough to get settlement of land under Permanent Settlement arrangements, while the Muslims were still brooding over the loss of their empire.

The Hindus thus got an upper hand in the villages although they were in a minority. The farmers were almost all Muslims who were working on their own lands in some cases, and on lands owned by Hindus in most cases, either under tenancy arrangements, or on sharecrop basis. The Hindus generally had better income, and could, therefore, send their children for 'English' education, to which Muslims were still averse. Office employment therefore went to the Hindus in Calcutta, and in the Divisional, District and Subdivisional towns. The growing trade and commerce and the professions like lawyers and doctors were also almost monopolized by the Hindus. These urban classes, however, had their roots in villages where their families - joint families in most cases - used to live. The urban savings went into purchase of agricultural land, mostly from Muslims, who were forced to sell due to distress, arising from growing families, dwindling sources of income, and no alternative avenues of employment. The result was the emergence of a process of transfer of agricultural land from Muslim cultivators to Hindu non-cultivating middlemen, which further strengthened the position of the latter in the social hierarchy in the village.

As for the Muslims, most of them were poor cultivators; but there were some families which were slightly better-off, and owned landed property by settlement from the

higher grades of middlemen created by the Permanent Settlement, who were mostly Hindus. It so happened that most of these better off Muslim families claimed some non-Bengali origin, whereas the majority of the Muslim cultivators were in fact converts, presumably from lower class Hindus who suffered a lot in the hands of their upper class co-religionists. However that may be, all Muslims in the villages were cultivators, a few big and the majority small. The small cultivators had little land of their own, and mostly worked as sharecroppers on land owned by others, Muslims and Hindus. Some small trades and crafts developed in the villages and every village was more or less self-sufficient; but these trades and crafts belonged to the Hindus, e.g. carpenters, barbers, washer men, blacksmiths, fishermen etc. The Muslim were still living in the past, and were totally confused about what to do - socially, educationally, and professionally. In this confusion, some kind of a sense of direction was being provided by a few Muslim thinkers of India, but the emphasis still seemed to be on making them better Muslims. Then in 1906 the all-India Muslim League held a conference in Dacca, out of which for the first time evolved a comprehensive objective-plan for the Muslims of India, covering social, political, economic, educational and intellectual aspects. The objectives formulated were brilliant, but their implementation proved to be a highly complicated matter, and depended on the willing cooperation and participation of three important parties the Muslims who would be the beneficiaries but had no means or resources of their own, the Hindus who could help but were not willing to, and the ruling British Government who were yet to make up their mind as to what to do, in the matter of pulling up the Muslims and rehabilitating them in the socio-economic fabric of the country. The movement, however, gained momentum gradually, thus initiating a process of awakening among the Muslims for greater self-confidence, for secular education side by side with religious education, and for making strenuous efforts for getting into Government employment. Extremely limited as they were, these opportunities, however, remained confined only to a few of the Muslim families who had strong will- power and determination, plus the capability in terms of material resources, owned or borrowed. Giving children proper education turned out to be the main concern of these families, whose determination goaded them to face all odds in the way.

Being solely dependent on agriculture, the majority of the Muslims were poor, and their poverty went on increasing, mainly due to two factors - growing size of their families, and dwindling size of their land holdings. Absence of any alternative source of income confirmed their poverty, and they grew fatalistic in a way which was contrary to the teachings of Islam. They were not averse to doing hard work, or making additional efforts; but they could not see how their own efforts would help in improving their lot. They were thus carrying on the work of farming on whatever land they could mobilize in the traditional way handed down from one generation to another. Most of them were mere subsistence farmers, except where a small quantity of jute was grown for some cash income to meet the family's urgent requirements. There was virtual absence of any idea of producing a crop for a market, or of improving production practices or methods

for producing varieties or qualities that the consumers may want. Children were born into families, as also into their occupation of the type of farming to which they were accustomed. In this their dependence on Nature was total, and there was hardly any attempt at supplementing Nature's gifts to the process of producing crops on land, or the growth of fish in water.

Of the bounties of Nature, the most important and influential in the life of the people was, and continues to be, the annual flood. In a very real sense, water, rain, river and flood have been the lifeline of East Bengal since its very inception. Flood-water has worked as natural fertilizer to the soil, but for which farming would have been hardly possible. In addition, it served as the almost exclusive means of transport of men and materials in rural East Bengal, and the whole duration of the flood -- four months or so -- was called the flood or rainy season. During this season, Villages in East Bengal still look like little islands, and small country boats become the only means of transport from one village to another, even from one house to another. An entire world of sports, music and poetry has developed, which is rooted in the flood season. Field work is not possible during this season, and some farmers do little business in jute trade, performing the preliminary marketing functions of assembling and transport. On the social side, this became the season of family visits to friends and relations, and country boats of different sizes and shapes, and colored and decorated in different manners depending on the financial capability of the owners, became a regular sight in and around the villages. Many of those boats were available on hire, and some of the big ones crossed the mighty rivers -- Padma, Jamuna and Meghna -- at considerable risk.

The country boat was a very important part of the life of the people in villages. As a vehicle for transport, it carried people from village to village, and even from one house to another during the rainy season; these boats were of different sizes, some covered and some uncovered. There were two types of boats which became quite important through small in number; one was the big boat for carrying large volumes and heavy weights of merchandise, such as rice, paddy, timber and the special grass for making thatch roofs of houses. These boats were specially built, and were classified according to the weights they could carry.

The second type of boat that developed was called 'panshi', which was a mini-household floating on water having bare minimum facilities for board, lodge, rest and recreation for a few days and nights. These boats varied in sizes, engineering feats, and physical facilities available. In East Bengal, the 'panshi' boat soon became a symbol of prosperity and affluence, and the respect, esteem and awe it inspired among the people depended on its size, quality, facilities and sophistication. Sometimes people used to live in these for months together; some of these were available on hire, and some were used as floating hotels.

In this world of subsistence farmers and self-sufficient villages, an outward look towards occupations and opportunities available beyond the frontiers of the village was very rare; and although some of the poorest families moved to southern Assam in search of new land to live and work on, other families in the village continued with little urge for any change. Farm people take a very very long time to change, nay, even to begin to change; and this urge to change must come through a long process of education of at least two generations, in the right kind of arts, sciences and technology. Facilities for these created till then were so far out of the reach of the Muslims that thinking of educating the children was considered to be an act requiring great courage, overcoming criticism, some ability to see the future, and some access to the necessary financial resources. Some opportunities were available for mobilizing resources from friends and relations, old, new, or yet to be arranged; but the three other pre-requisites had to grow within the families concerned, which were conspicuous by their absence. The urge to educate children, therefore, remained a function of the family's own initiative and determination; bold positive efforts had to be made, and painful sacrifice had to be undergone.

The family's determination to educate children had to be fully reflected in the child himself; in fact it was more his determination and performance at studies which inspired the family to undergo the big sacrifices that had to be made. Male children had the opportunity of going to primary schools, either in the village or in a neighboring village; these schools were all set up through voluntary efforts, and maintained by private donations, public subscriptions mostly in kind, some fees from students, and some grant from Government. There were also Middle grade schools upto class VI, mostly sponsored by the local zeminder, but maintained by students' fees and Government grants. Then there were the High schools, initiated and supported in the same manner. In all these institutions the number of Muslim students was very small to begin with, and a Muslim students had to work under so many odds. Dropouts among Muslim students were many; but those that remained got encouragement from all friends and relations of their families. Those that were good in their studies got encouragement even from the Hindus, teachers and others. A Muslim student at High school was in most cases away from his family, and had to find a family nearer the venue of the school which would agree to provide lodging and board to him. This was difficult but not impossible; usually this was in exchange for some private tuition for the minor children in the family, or even of some grown-ups going to school or college. This system was quite in vogue in earlier days, and prevails even now in many villages and small towns. Sometimes the tutored included girls, and in some places these girls were later married to their tutors. There were also instances of relatively richer families having their eyes on good educated young men, or brilliant students as prospective sons-in-law, and taking responsibility for bearing their educational expenses in full or in part. In many cases this proved to be a good way of financing higher education for poor but meritorious young men.



An educated Muslim young men, graduating from the University was almost immediately thrown into a number of duties, obligations and responsibilities. He was required to find a job immediately to help his family and to educate his own younger brothers, and sometimes his brothers-in-law, and sometimes their children. He was supposed at least to find board and lodging for them in his own establishment which was itself new, and in many cases temporary and improvised. This did create problems at times; but on the whole, it worked fairly well, and a place to stay in a town, the venue of a good high school or college, proved to be a great advantage to many budding young students of the extended family.

An educated Muslim had to begin his life under severe stresses and strains; he had little time to prepare for a job, the expectations of his family and near and dear ones were too heavy for him, and he had to face severe competition in his job or profession to which he was a new entrant. There was the absence of a spontaneous welcome from senior colleagues in the profession, which provides such a great inspiration and encouragement to a new entrant. This became more pronounced in the case of lawyers, in which case the ready availability of a Senior was something like a sine qua non. All established lawyers have had the advantage of the availability of a Senior, either in the family, or in the extended family, or in the community. And yet it is here that the Muslim lawyer had his biggest difficulty; he had per force to work under a senior Hindu lawyer, whose guidance in most cases was grudging rather than willing. Another difficulty cropped up: a Muslim lawyer had to provide leadership in socio-politico-cultural activities of the Muslim community, which were not to the liking, in most cases, of the Hindus. 'Anjumans' were coming into existence in many towns, the Muslim League was taking some hesitant steps in politics, the non-communal Praja movement was coming up, and the Hindu dominated Congress had already settled down and was trying to emerge as the only political party in India, representing both the Hindus and the Muslims. The Congress, however, failed to inspire enough confidence among the Muslims, with the result that the Muslims started their own organizations which were communal in composition, and therefore, not to the liking of the Hindus. Politics was thus mixed up with the profession for a Muslim lawyer or doctor or even teachers. Those in Government service were, however, prevented from doing active politics, though unofficially they all had their sympathy with the cause, which they tried to help in all possible ways; even Muslim students worked for these bodies without sacrificing their studies. By then, the Government initiated a policy of helping educated Muslims by employing some of them, and encouraging them to organize themselves to safeguard their interests. The Government of India Acts 1909 and 1919 created some opportunities for Muslims to take part in some election activities, and some Muslims were appointed to the Governor-General's Executive Council. Some lawyers were appointed Government pleaders in districts and subdivisions, some appointed Deputy Magistrates and Munsifs, and some distinguished lawyers even as High Court Judges. All these activities boosted up the morale of the emerging Muslim educated class, and there was increasing eagerness in

the community for acquiring higher education, and for sharing the benefits it brought. It was a costly affair, and only some families could really take advantage of it.

The upcoming Muslim lawyers were compelled by circumstances to take part in political activities and in whatever election opportunities were thrown open. There were the Local Bodies like the Union Boards, Local Boards and District Boards, and the Provincial and Central Legislatures. Joint electorate was the order of the day, and in some cases there was reservation of seats for Muslims. Although Muslims were in a majority in the electorate, the Hindus were better organizers of election matters, and therefore, a Muslim candidate for election to a local body or provincial or National legislature had to depend on the blessings and support of the more resourceful Hindu community, or at least of its influential members. Maulvi Tamizuddin Khan was rather lucky in getting such help and support by dint of his merit, personal qualities, and reputation of being scrupulously honest. Through his good work as the Secretary of "Anjuman-i-Islamia", as also of the Faridpur District Congress and Khilafat Committees, Maulvi Saheb had already created a position for himself in public life, and it was not difficult for him to get elected as Vice-Chairman of the Municipality in 1915 and Chairman of the District Board later. He joined Muslim League in 1915; in those days the political parties and groupings were not mutually exclusive; but there were growing tensions, and conflicts and contradictions, due to which he left Congress in 1926.

#### **b. Politics in The Years 1926-1947**

These experiences were good preparations for Maulvi Khan for later life and activities in the realm of politics; and in 1926 he was elected to the Bengal Legislative Council from Faridpur-Rajbari constituency by an overwhelming majority, defeating a very influential Congress candidate Lal Miah, the local Zeminder. The Council witnessed some hectic activities regarding the election of the Speaker: the contestants were Sir Abdur Rahim and Mr. A.K. Ghaznavi; Maulvi Saheb supported Sir Abdur Rahim in this contest. This Council was short-lived, though eventful, due to no-confidence against Minister Nawab Mosharraf Hossain of Jalpaiguri, which however was defeated. A deadlock developed in the Legislature due to conflict between elected and nominated Members, and the Assembly was dissolved in 1928/1929. Fresh elections were held in 1930, and Maulvi Khan this time contested and won from Madaripur-Gopalganj constituency, having surrendered his own to a friend Khan Bahadur Alimuzzaman Choudhury, who was Chairman Faridpur District Board. This arrangement must have been disadvantageous to Maulvi Khan, but he was persuaded into accepting it, because everybody, and he himself, was confident that he could get elected from any constituency, in Faridpur, and even outside, as was proved later in 1945.

As a Member of the Legislative Council, Maulvi Tamizuddin Khan took active interest and a prominent part in the work before the Assembly and proceedings of the House. He organized and became Secretary of the Praja Party in the House, and was elected Member of the Franchise Commission and the Education Advisory Committee. He had

opportunities to work with men like Sir Abdur Rahim, Khan Bahadur Abdul Momen, Khwaja Nazimuddin and Nawab K.G.M. Faruqui, who were Members/Ministers of the Council. He was thus able to make his contributions to the emerging educational policies specially for the Muslims, the growing demand for adult franchise with reservation of seats for Communities and separate electorates, which were recognized in the Govt. of India Act 1935. He took a prominent part in the formulation of the Bengal Tenancy Amendment Act, and fought vigorously for the Tenants' right to transfer land, and against the Landlords' right of preemption. Not that all these salutary reforms were introduced then and there, but the causes were well taken and strongly advocated by the Praja Party in the Assembly, and created a great enthusiasm among the people outside, specially the tenants who constituted the biggest majority of the population. The anti-people activities of Ghaza-Chakra Ministry (a coalition Ministry including Sir A.K. Ghaznavi and Mr. B. Chakraborti) were thoroughly exposed, and foundations were well laid for a great Praja movement manifested later on. Through his work as Member of the Council, Maulvi Tamizuddin Khan came in close contact with Sir Azizul Huq, Nawab Nawab Ali Choudhury, Mr. A.K. Fazlul Huq, Mr. P.C. Roy and other leaders. His role as a young progressive Muslim leader must have been important, because he was offered the title of Khan Bahadur, which he, however, declined to accept. He emerged as a good progressive political leader of the Muslims. These were the days of the Communal Award (1933) and the Govt of India Act 1935, which inter alia provided for a federal form of government at the Centre, and full autonomy in the Provinces and abolition of diarchy of the Act of 1919. The Provincial part of the Act of 1935 was accepted, and elections under the new system held in 1937. Hectic political activities began among the Muslims, and in addition to the Muslim League party, which till then existed more in name than in substance, a Krishak Praja Party was started by Mr. A.K. Fazlul Huq, and a United Muslim Party by the Nawab Bahadur of Dacca and his associates mostly from the Khawaja family and its offshoots. The Congress was the most important party of the Hindus and some dissenting Muslims. There was the possibility of the Muslim vote being divided so that the Congress-supported candidates would have better chance and prospects. This apprehension brought the Muslim leaders closer, and efforts were afoot to bring them together under one party and flag. Attempts were made to merge the United Muslim Party (UMP) with the Muslim League, which however did not succeed as such; but agreement was reached to the effect that they would fight the election jointly, which meant that they would avoid putting up candidates in the same constituency, and both parties would work for the single candidate. The question of jointly selecting a candidate by ML and UMP was yet unresolved, but the arrangement of avoiding an in-fight and supporting each others' candidates worked reasonably well. In Faridpur itself, a meeting was held to explore possibilities of unity, in which Maulvi Tamizuddin Khan took prominent part; a Committee was also appointed composed of Mr. M.A. Jinnah, Mr. A.K. Fazlul Huq and Nawab Bahadur of Dacca, which though failed in its main purpose succeeded in bringing about an understanding that the two groups would cooperate in avoiding cut-throat competition and helping each other's candidates.

Maulvi Tamizuddin Khan contested the election from Faridpur and won by a comfortable majority against the formidable Congress candidate Mr. Humayun Kabir, Maulvi Saheb contesting as a Muslim League candidate. Others who got elected were Mohan Miah, Mr. Ahmad Ali Mridha, Khondkar Shamsuddin Ahmed, Mr. Sekander Ali, Mr. Ghyasuddin Choudhury, among others from different constituencies of Faridpur. The success of the candidates in this election was more due to the personal popularity than to party affiliation and activities, which were limited anyway. Certificates obtained by candidates from personalities like Pir Sahebs of Furfura, Sarsina etc. and Maulana Bhasani carried great weight with the voters. The Krishak Praja Party of Mr. A. K. Fazlul Huq fought the elections on its own ticket, and did not join hands with the combined effort of ML and UMP, with the result that in all the Muslim constituencies there were at least two candidates; in fact there were more. The biggest such fight was in Patuakhali, Barisal, between Mr. A.K. Fazlul Huq and Sir K. Nazimuddin, in which the latter lost heavily. In Bengal as a whole, the Muslim seats were almost equally divided between the Muslim League, the United Muslim Party and the Krishak Praja Party (KPP), the balance being held by the Congress and the Europeans. The Muslim leaders were worried over this, and parleys were being regularly held to evolve common grounds among Muslim MLA's and MLCs so that a Hindu Congress-dominated Govt. could be avoided. As a result of these parleys in which Mr. H.S. Suhrawardy played a key role, he himself resigned from one of his seats in Calcutta and got K. Nazimuddin elected as MLA. A Coalition was formed between KPP and ML/UMP, and soon ML/UMP merged into the Muslim League Parliamentary Party. In 1937 a Coalition Govt. was formed by Mr. A.K. Fazlul Huq as Chief Minister and Education Minister, K. Nazimuddin as Home Minister, Mr. Nalini Ranjan Sarker as Finance Minister, Syed Nausher Ali as Health Minister, and Nawab Bahadur of Dacca, Maharaja of Burdwan as important Ministers. Pressure was mounting on Mr. A.K. Fazlul Huq and Muslim members of the Coalition Party to join Muslim League, which he did in early 1938. Bengal thus became a great bastion of power for the Muslim League, contrary to all other Muslim majority provinces of India. There appears to have been an understanding that Maulvi Tamizuddin Khan would be elected Speaker of the Assembly, which however did not materialize; Sir Azizul Huq was elected Speaker instead. As it happened, this Cabinet was dominated by big landlords and business magnates, a fact pointedly inconsistent with progressive thinking in Bengal represented by the Praja Party and the majority in the Muslim League Party. Real Leftist parties were yet to make their mark; nonetheless, the mischief of vested interests dominating the Cabinet was so big that tensions and misunderstandings cropped up within the Cabinet with Syed Nausher Ali playing the leading role in the dissenting group. An Assembly Praja Party was formed by Maulvi Tamizuddin Khan and several others, which elicited support from a large number of members coming from rural areas and a no-confidence against the Government was being seriously talked about. Differences with Syed Nausher Ali became so serious that he was asked to resign which he refused to do, and the entire Cabinet had to resign. A new Cabinet was formed including all

Ministers except Syed Nausher Ali, and two new Ministers were taken in: Maulvi Tamizuddin Khan and Mr. Shamsuddin Ahmed, both from Faridpur. Both of them were in the new Assembly Praja Party; which was an indication that political cognizance had to be taken of the slowly emerging progressive elements within the legislature and outside. Mr. Fazlul Huq himself might not have disliked it in his heart of hearts, because after all the Praja Party was his own creation, and at no time in his life did he really dissociate himself from it.

As Minister, Maulvi Tamizuddin Khan was placed in charge of the Medical and Public Health Department; during this time the first Muslim eye-surgeon was appointed in the Calcutta Medical College Hospital, Dr. T. Ahmed, over which there was a great row created by the Hindus, and Governor's intervention was sought; Maulvi Tamizuddin Khan took a stand, explained the position to the Governor who agreed, and the appointment was not disturbed, In 1939 Mr. Shamsuddin Ahmed resigned presumably on personal grounds, and Maulvi Tamizuddin Khan got the portfolio of Agriculture; soon afterwards there was a reallocation of portfolios, and Maulvi Tamizuddin Khan became Minister for Agriculture and Industries.

Maulvi Tamizuddin Khan was blessed with two more daughters, Kulsum (1929) and Razia (1935). He suffered a great personal tragedy in 1939; during a visit to Darjeeling, Begum Khan had a fall from rickshaw had a prolonged suffering, and ultimately died in December 1939 leaving three daughters; she lies buried in Tilzala graveyard in Calcutta. Maulvi Khan married Atiqua Khanam of Noakhali later, Mrs. Tamizuddin Khan is still alive.

These were days of great political developments in India; the second World War was on, Japan was occupying one Asian country after another, the Bengali leader Subhas Bose was in Japan actively helping her in her advances towards India; the Congress Government in the Provinces resigned and declared an action-programme of 'Quit India' for the British rulers, the Muslim League was aggressively working for a separate homeland for Muslims, Pakistan, and the British Government both at home and in India, was in utmost confusion as to policy and action. Mr. A.K. Fazlul Huq put his heart and soul in the work of the Muslim League, and people lovingly gave him the title of 'Sher-e-Bangla'; in fact he roared like a lion in public meetings, not only in Bengal but all over India. The Sind Premier M.A. Khuro joined the Muslim League and pressure was everyday mounting on the Unionist Cabinet of Punjab and the Congress Cabinet of North West Frontier Province (NWFP) to join the movement for Pakistan, which in effect meant joining the Muslim League. It was not easy for these Governments to do so, with the result that sharp difference started growing between the policies of these Governments and the outlook and thinking of the people in these Provinces. It was becoming increasingly clear that the Muslims of India were really committing themselves to the demand for Pakistan, and it was difficult for any Muslim leader to remain outside the fold. At every annual session of the ML, attendance was

unbelievably large, and demand for a separate homeland for the Muslims was asserted categorically, strongly and aggressively. The Bengal contingent played a leading role in all these meetings, and Maulvi Tamizuddin Khan played his part well in organizing and enthusing the delegations from Bengal, and holding series of public meetings all over the Province in support of Pakistan. The most crucial meeting of the ML was held in 1940 in Lahore, in which the famous Pakistan resolution was moved by Sher-e-Bangla and adopted unanimously with great enthusiasm, and with dedication and commitment unparalleled in the history of political movements. Maulvi Tamizuddin Khan attended this session as a leader of the Bengal delegation.

Two measures were adopted during this tenure of Maulvi Tamizuddin Khan as Minister for Agriculture and Industry: the Jute Regulation Scheme in consultation with the Government of Assam, and the Rural Reconstruction Scheme. These were pioneering measures in the areas concerned, and were followed in subsequent years by more elaborate and sophisticated schemes of control on the production and marketing of jute, and rural development of a comprehensive nature and increasingly becoming a prime mover of socio-economic development. Government intervention in both of those matters has gone so far by now that the reverse trend has already started, namely a policy of decontrol, denationalization and disinvestment. The private sector has now a big share in jute manufactures and in the marketing of jute and jute products, both internal and external. In rural development attempts are being made to ensure and secure people's participation to the maximum possible extent.

Several beneficial measures were adopted or introduced by the Coalition Government of Mr. Fazlul Huq: the Sakhawat Memorial Girls High school and the Lady Brabourne College in Calcutta for Muslim girls, the Islamia College for Muslim Boys, the Bengal Agricultural Debtors' Act to relieve the borrowing peasants from the oppression of the money-leaders/land grabbers, the setting up of a Land Revenue Commission for land reforms, the introduction of the Secondary Education Bill, the establishment of the Fazlul Huq Muslim Hall in the University of Dacca and a large number of schools and colleges in rural areas which went to the benefit of the Muslims. The Coalition Government of Mr. Fazlul Huq continued to work and take certain beneficial measures inspite of tensions within the Parliamentary Party. The most important event which created this tension was the appointment of Mr. Fazlul Huq (as Chief Minister of Bengal) to the Viceroy's Defence Council set up on the breakout of the Second World War. The Muslim League under the leadership of Mr. Jinnah had decided against cooperating with the Government in its war efforts until its demands were met, and Mr. Jinnah asked all Muslim/Muslim League Chief Ministers to resign from the Defence Council; the Chief Ministers of Punjab and Sind resigned, but Mr. Fazlul Huq refused to do so, and pointed out his responsibility as a Chief Minister as distinct from that as a Muslim Leaguer; one should probably keep in mind that he became a Chief Minister first and then a Muslim Leaguer. Be that as it may, Mr. Fazlul Huq continued to serve on the Defence Council, and Mr. Jinnah persisted in demanding his resignation. An

acrimonious debate and exchange of letters took place between them, the whole situation took an ugly and personal turn, and Mr. Jinnah expelled Mr. Fazlul Huq from the Muslim League towards the end of 1940. This created a cleavage within the Parliamentary party in Bengal, and many Muslim MLA's deserted the party. In the meantime, Sir Azizul Huq, the Assembly Speaker, joined the interim Central Government with Jawahar Lal Nehru and Liaquat Ali Khan, and Syed Nausher Ali was elected Speaker. The crisis in the Parliamentary Party deepened, the second coalition Government of Mr. Fazlul Huq fell, the coalition was broken, and Mr. Fazlul Huq formed a new Government called Shyama-Huq Ministry, and the Muslim League was thrown into Opposition, a rather unique experience for them.

The Muslim League parliamentary party in opposition conducted itself well; its leaders were Khwaja Nazimuddin, Mr. H.S. Suhrawardy, Mr. Abdur Rahman Siddiqui, Maulvi Tamizuddin Khan, Mr. Nurul Amin, Mr. Fazlur Rahman and Mr. Mohammad Ali of Bogra. The majority of the Muslim MLA's and MLC's belonged to this party, and the Muslims of Bengal were increasingly coming round to support this party, despite the personal popularity of Mr. Fazlul Huq; even he had to face black flag demonstrations from the public led by students. Tension went on mounting within the Parliament and also outside in the country; Maulvi Tamizuddin Khan worked hard for the consolidation of the Muslim League in and out of the Assembly. At this time, a seemingly careless remark by Mr. Shyama P. Mookerjee added fuel to the already existing fire of opposition; participating in a debate, Mr. Mookerjee said he would never be guided by the Leader of the Opposition or the Leader of the 'Goondas'; this created a big row within the house which was transmitted almost immediately to the public outside, and the entire Muslim population took serious exception to this act of misconduct on the part of the Coalition partner of Mr. Fazlul Huq. Hindu-Muslim tension was worsening, the law and order situation was deteriorating, the Government's war efforts were being hampered, scorched earth and boat destruction policies were being carried out and the situation was at its worst in the district of Midnapur where opposition by the Hindus led by Congress took a violent turn. The district magistrate Mr. N.M. Khan took strong action and a few persons were killed. Mr. Mookerjee wanted action against him on which the Cabinet was divided; Governor turned down any proposal for action against Mr. Khan, and differences deepened between the Governor and the Cabinet. Heated discussions took place within the House and outside, and the differences no longer remained secret. The Governor asked Mr. Fazlul Huq to tender resignation of the Cabinet which he refused to do. The Governor then dismissed Mr. Fazlul Huq and his Cabinet, and appointed a new Cabinet with K. Nazimuddin as Chief Minister, which included Mr. Suhrawardy, Maulvi Tamizuddin Khan, Syed Muazzamuddin Hosain and several non Congress Hindus. This was also a Coalition of Muslim League, Independent Hindus and Europeans who promised support. The new Government started from 1942, in which K. Nazimuddin was Home Minister, Mr. Suhrawardy the Minister for Civil Supplies, and Maulvi Tamizuddin Khan Minister for Education. This was the height of the Second World War and Japan

was advancing everyday towards India; therefore, the new Government had to work under very heavy constraints, and the Province faced its severest famine ever in 1943, which caused a very heavy toll of deaths from starvation. The Ministry had a rather precarious existence, depending on the vote of the European group of MLAs and yet not supporting the war efforts whole-heartedly. As the Education Minister, Maulvi Tamizuddin Khan re-introduced the Secondary Education Bill, to which the Hindu members, even of the Cabinet, were deadly opposed. Mr. Fazlul Huq's Progressive Assembly Party (now shrunken in size), the Congress members en bloc, and Independent Hindus in Opposition put up a severe battle indeed on the floor of the Assembly, more pointedly on the food situation, and serious charges of maladministration and corruption were brought against the Government and their appointed agents for handling food. The Government had to face criticism on many fronts and from many quarters; during this time, in early 1945 the Government lost in a vote on a cut-motion of minor importance, one of those in which the result of voting is treated as immaterial by mutual agreement, so much so that even the Whips of the Government party were absent from the House.

But Speaker Syed Nausher Ali's view was different; he thought that this was a material vote, and gave his decision that the Government could no longer remain in power. The increasing unpopularity of the Government on the food problem, the withdrawal of support by the Hindu members of the Government party, and the non-committal attitude of the European members - all of these must have contributed to the complexity of the situation; the Ministry of K. Nazimuddin fell, and Ministers were declared to be *functus officio* for a few days, after which the Assembly was dissolved, and preparations set afoot for fresh elections.

The Muslim MLAs were divided into two groups, one supporting K. Nazimuddin and the other Mr. Suhrawardy. Meanwhile the election of the Secretary of Bengal Muslim League came up, and two candidates contested: Mr. Abul Quasem from the Nazimuddin group, and Mr. Abul Hashem from the Suhrawardy group. Maulvi Tamizuddin Khan did not identify with either group, but tried his best for an understanding between them and made passionate appeals for unity. This, however, was not to be; and in a straight fight Mr. Abdul Hashem won and became Secretary of the Muslim League. A Parliamentary Board was formed for the elections on which Mr. Suhrawardy had a majority, which was reflected in the nomination of candidates for the Provincial and Central Legislatures.

Khawaja Nazimuddin did not offer himself as a candidate either for the Province or for the Centre; Maulvi Tamizuddin Khan was nominated as a candidate for the Centre. By then the movement for Pakistan had been consolidated, and Muslims were determined to vote for the Muslim League candidates. The elections held in 1945 were on the Pakistan issue, and all candidates elected from Bengal to the Provincial and Central Legislatures belonged to the Muslim League, except Mr. A. K. Fazlul Huq who won



because of his personal popularity. Mr. Suhrawardy formed a Government in Bengal including some non-Congress Caste Hindus and Scheduled Castes. This Ministry had very little time for work, because 1946 was knocking at the door with all its important events and happenings.

Maulvi Tamizuddin Khan was elected to the central Assembly from Dacca-Mymensingh constituency against Sir A. H. Ghaznavi, leaving his own constituency including Faridpur for the benefit of Lal Miah. He won by a comfortable majority, but Ghaznavi instituted an election case in which even Mr. Fazlul Huq appeared as a witness; the case was dismissed, and Maulvi Tamizuddin Khan started functioning as a Member of the Central Assembly of India.

An interim Government was set up at the Centre with Nehru as Prime Minister and Liaquat as Finance Minister, Mr. Jogendra Nath Mondal from Bengal was appointed a Minister on ML nomination. The MI Parliamentary Party in the Assembly was well organized; there was a talk of Maulvi Khan being elected Deputy Speaker which did not materialize. However, his contributions to the proceedings in the House were important and taken note of. He was also elected as a member of the Constituent Assembly of India.

In the meantime, several important developments took place on the political front; the British Government promised to transfer power to the Indians on a plan to be agreed on between the Hindus and Muslims, which, however, was not yet in sight; two Cabinet Missions visited India to negotiate and settle matters with Indian Leaders, one with Lord Pethic Lawrence as leader and the other with Sir Stafford Cripps. The proposals of both these Missions conceded the principle of Pakistan, but did not go far enough to be acceptable to Muslims; the Congress which still believed in a united India would not agree to any arrangement which might leave with Provinces or Groups thereof the right to secede, if they so wished, at some future date. At one stage to secede, if they so wished, at some future date. At one stage a settlement was almost reached and then broke down; the fact of the matter was that where as the Muslim League knew its mind clearly and had an undisputed leader, the Congress exhibited a sense and state of uncertainty about what it really wanted and considered feasible in the light of fast developing circumstances. The inner conflicts of views among the top leaders of the Congress must have been responsible for a part of this uncertainty; there are instances of a plan being accepted by Congress then accepted by ML and then again rejected by Congress. Be that as it may, the Muslims were getting increasingly disillusioned and impatient, and the ML decided to observe a Direct Action Day for the achievement of Pakistan. This Day was observed in Calcutta on August 16, 1946; the Hindus were bent on opposing this, and the result was the Great Calcutta killing of Muslims under abominable circumstances. Chief Minister Suhrawardy did his very best to control the situation at great personal risk to himself, and the situation in Calcutta was contained within a week. But this had repercussion particularly in Noakhali where the victims

were Hindus; Ghandi and Suhrawardy jointly camped in Noakhali and normalcy was soon restored.

These two events of communal riots in Calcutta and Noakhali confirmed the belief of both Hindus and Muslims that they could not and would not live together in any form of united India; Pakistan as a separate homeland for the Muslims was inevitable. The British Government also must have been convinced of this. The result was the Indian Independence Act of June 3, 1947.

## CHAPTER VI

### EARLY YEARS OF PAKISTAN: QUEST FOR A CONSTITUTION

Under the Indian Independence Act of 1947, India was to be divided into two independent Dominions of India and Pakistan with their own Constituent Assemblies formed out of the Constituent Assembly of India. The provinces of Bengal and Punjab were to be divided into Hindu and Muslim majority areas, and a Boundary Commission was set up for the purpose. Both the Congress and the Muslim League appeared to be unhappy with this kind of Partition Plan, but in the end accepted this as the only way to solve the constitutional problem. What had been abhorred as a "truncated and moth-eaten" Pakistan earlier was now accepted by the Muslim League; there was an attempt by Suhrawardy and Sarat Bose to save Bengal from partition by advocating an Independent Bengal and an Independent Greater Bengal including Assam; but this did not find favor either with the Congress or with the Muslim League. It appears that a tentative go-ahead signal was given to this idea initially by the Muslim League High Command, but on second thoughts it was withdrawn, ideas hardened, the Bose-Suhrawardy formula was rejected, together with the sponsors thereof by their respective organizations. So the partition of Bengal and Punjab was accepted, and Partition councils were appointed in both the Provinces to divide the assets and liabilities between East and West Bengal, and East and West Punjab. Maulvi Tamizuddin Khan was a member of this council in Bengal.

Because of his United Bengal move and too much of hobnobbing with Gandhi, Suhrawardy fell from the grace of the Muslim League; meanwhile Muslim MLA's from East Bengal as demarcated by the Radcliffe award of the Boundary Commission met to elect their leader. Nazimuddin and Suhrawardy contested, and Nazimuddin was elected Leader of the Muslim League Parliamentary Party for East Bengal. Suhrawardy remained in Calcutta to protect the interests of the Muslims left in India (as he said). Nazimuddin came and formed the Government of East Bengal which included Nurul Amin, Hamidul Huq Chowdhury and several others. The Partition Council could not agree on the division of assets and liabilities of Bengal, and the Government of East Bengal started functioning literally from a scratch.

At the Centre, two Constituent Assemblies were formed, and Maulvi Tamizuddin Khan was elected to the Assembly for Pakistan. The first meeting of the Pakistan Constituent Assembly was held in Karachi on August 12, 1947, with Mr. J.N. Mondal as Chairman, in which power was transferred by Lord Mountbatten to the Assembly, and taken over by "Quaid-i-Azam" (Father of the Nation) Mohammad Ali Jinnah as Governor General of Pakistan. The swearing-in of the Governor General took place on the morning of August 14, and a Cabinet was formed with Liaquat Ali Khan as the Prime Minister, Sardar Abdur Rab Nishtar as Deputy Prime Minister, Gholam Mohammad as Finance

Minister, Fazlur Rahman as Commerce Minister, Jogen Mondal as Law Minister, and several others. Maulvi Khan worked very hard and well as Member of the Rules of Procedure Committee, and the Rules were accepted by the Assembly without much amendment, as proposed by him. It was not considered wise to have a separate President of the Constituent Assembly at the very outset, and Quaid-i-Azam himself was unanimously elected President. Maulvi Khan was elected Deputy President of the Constituent Assembly, and it was so arranged that he would preside over all meetings of the Assembly as Legislature. Quaid-i-Azam combined in himself the two most important positions in the State; he was quite conscious of the responsibilities of either position, and there was absolutely no confusion about the status of the decisions of the Constituent Assembly as such, and those taken by the Assembly functioning as the national Legislature. The practice developed of the Deputy President presiding over the meetings of the Constituent Assembly when it met as Legislature set all doubts and uncertainties to rest, both in law and in fact.

As Deputy President of the Constituent Assembly, Maulvi Khan had regular discussions with Quaid-i-Azam on the work before the Assembly, of which the most important, of course, was the framing of a Constitution. One of the earliest issues discussed and agreed on was the immediate need for holding sessions of the Assembly in Dacca at least once every year. It began as such, but soon degenerated into a more formality to such an extent as to persuade the decision-makers to hold sessions in Dacca in December and January consecutively, and satisfy the formal requirement for two years. Thus a politically wise move was converted into an administrative formality without substance.

Maulvi Khan led quite a few Parliamentary Delegations, Speakers' Meetings and Inter-Parliamentary Conferences, and left his mark as an able and persuasive Speaker representing Pakistan and what it stood for. During his first trip abroad as Deputy President, while flying from Rome to London, he heard about the sudden death of Quaid-i-Azam in September 1948. The conditions of his death are still shrouded in mystery; he breathed his last in a military weapon-carrier converted into an ambulance, on his way from Nathiagali to Karachi. However, Maulvi Khan as everybody else was literally stunned by this news and wanted to come back immediately. But the members of his delegation prevailed on him and persuaded him to continue his tour and complete the important meetings and engagements which had been laid down for him; it was perhaps felt necessary to demonstrate that even without Quaid-i-Azam the new baby would survive, and normalcy would come back to all affairs of the State. However, Maulvi Khan cut short his visit and came back to Karachi; by then Nazimuddin had been sworn in as Governor General, and Nurul Amin took over as Chief Minister of East Bengal. A new President of the Constituent Assembly was to be elected, and almost as a natural choice, Maulvi Tamizuddin Khan was unanimously nominated by the Parliamentary Party and unanimously elected as President by the Assembly. His election as President was hailed by all sections of the House and people.

The progress of constitution-making in Pakistan is a dismal story. As a rather unique experiment in state-craft, Pakistan's constitution would surely have some unique features; but nothing can explain the inordinate delay and the tragic lack of any sense of urgency in the matter on the part of the Government and members of the Assembly. The fact of the matter was that after the death of the Quaid-i-Azam the centrifugal forces raised their heads, and no leader could hold the political forces together. It should be understood that any Constitution of Pakistan would have to give East Bengal its due share in decision-making and administration, at least parity if not a majority; and yet this was the eyesore of the most important segment of the leadership from the western wing, eg. those from the Punjab. People from that Province were at the time dominating in every sphere of the administration of the country, even in East Bengal, and they were not prepared to sacrifice this privilege under any circumstances. Several attempts were made and several formulae evolved to bring together different sections of opinion in the Assembly and the country. But everything was foiled due to the machinations of some selfish leaders from the Punjab. Maulvi Khan was most anxious to expedite the work and kept on pressing the then Prime Minister Liaquat Ali Khan to face the situation and take decision on the matter. After some time, the first report of the Basic Principles Committee (BPC) was finalized and published. There was all round opposition to the BPC report from all quarters and it was deferred for reconsideration. The main points of discontent and difference among various sections were: (1) the role of Islam in the constitution and governance of Pakistan, (2) Distribution of powers between the Centre and the Provinces, and, (3) the question of the state language or languages.

Meanwhile Prime Minister Liaquat Ali Khan was assassinated in a public meeting at Rawalpindi in October, 1951 under circumstances which looked mysterious and have never been probed properly. Nazimuddin stepped down from the position of Governor General and became Prime Minister and Gholam Mohammad was appointed the Governor General, an action which proved to be suicidal for democracy in Pakistan. Several things followed in quick succession-Prime Minister Nazimuddin visited East Bengal and declared in 1952 that Urdu alone would be the State language of Pakistan. This was contrary to his own commitment as Chief Minister of East Bengal to make Bengali one of the State languages, and the earlier open opposition to even the Quaid-e-Azam when he announced that Urdu alone would be the State language-in his convocation address at Dacca University and public meeting at Race Course maiden in 1948. It may be remembered that Quaid-e-Azam himself did not say anything on the matter ever since. The Prime Minister's assertion added fuel to an already burning situation, and from then on events and developments overtook all plans and programmes. Feelings were running higher and higher on both sides and on February 21, 1952, the police opened fire on student demonstrators for Bengali language and killed a few and continued oppression and repression on an unprecedented scale. This event has really turned the corner in the history of Pakistan.

It is in this confused situation of an explosive East Bengal that the second report of the BPC was published. This was not also acceptable to the country, but the biggest opposition to this came from the Punjab. East Bengal was so upset with a sense of betrayal and frustration that it was not in a mood to take any constitutional proposal seriously. What emerged as the uppermost development in East Bengal at that time was its strong opposition to the Muslim League and its Governments both at the Centre and in the Provinces. However, the second report of the BPC was being considered by the Muslim League Parliamentary Party at the Centre and was about to be accepted, when consideration was postponed at the instance of Prime Minister Nazimuddin, for reasons which were not clear to Maulvi Tamizuddin Khan, who continued to pressurize the Prime Minister and the party to take early decision on the matter.

There was a basic lack of understanding among the various political groups which caused delay in Constitution making; this aggravated the situation further, and the Constituent Assembly was increasingly losing credibility among people, particularly in East Bengal. A large section of the Muslim League members formed the Awami Muslim League which was led by leaders like Maulana Abdul Hamid Khan Bhashani, Aaur Rahman Khan, Hussain Shaheed Suhrawardy, Shamsul Huq, Sheikh Mujibur Rahman and so on. Sher-e-Bangla A.K. Fazlul Huq's Krishak Proja Party was renamed Krishak Sramik Party. Opposition to the Muslim League was growing stronger and stronger, and isolated attempts by the Muslim League Chief Minister Nurul Amin to put forth the grievances and claims of East Bengal failed to produce any tangible results.

There was a great uncertainty in the political arena. And as democracy was yet to take its roots, the civil and military services joined hands and took full advantage of the situation in collusion with some unscrupulous political leaders. The first action of this unholy alliance was to dismiss the Nazimuddin cabinet in 1953 when the budget had just been passed and the Cabinet had a big majority in the Assembly. Mr. Mohammad Ali of Bogra, who was Pakistan's Ambassador to the USA was brought in and appointed Prime Minister. The Muslim League Party did not have the guts to oppose this politically and in their short-sightedness most political leaders were not unhappy that Nazimuddin Cabinet had been dismissed. This was the beginning of the death of democracy in Pakistan.

Mohammad Ali was not only accepted as the Prime Minister, but was also made the President of the Muslim League. The Assembly endorsed him as the leader of the House and he formed what he called an All-Talent Cabinet. However undesirable politically, Mohammad Ali got busy quickly with the work of Constitution-making, and arrived at some kind of formula for solving the constitutional crisis. There were again attempts to cause delay, but for the first time a sense of urgency appears to have been exhibited by the constituent Assembly for constitution making. The questions of one unit in West Pakistan and sub-federation in West Pakistan were raised, but they were

both opposed and dropped. The second report of the Basic Principles Committee was adopted with some amendments and the stage was set for detailed drafting of the constitution. The first to be taken up was the Interim Constitution-the Government of India Act as adapted and adopted for Pakistan. Amendments were made to curtail the powers of the Governor General. The Public Representative Office's Disqualification Act was repealed and it was public knowledge that the Constituent Assembly was really out to make the Governor General a mere Constitutional Head of the State-a position not at all acceptable to the Governor General and his supporters in the civil and military services. All these changes were made when the Governor General was away. When he returned he found that his powers had been reduced to nullity and that the Prime Minister had gone abroad after adjourning the Constituent Assembly. This appears to have been a big mistake, committed against the advice of Maulvi Khan and other senior leaders.

### **Last-Ditch effort to Save Democracy in Pakistan**

During the Prime minister's absence, Governor General Gholam Mohammad finalized his plans to strike in collusion with top civil and military officers. On his return (October 23, 1954), the Prime Minister was dramatically taken to the Governor General's House, and the decision to dissolve the Constituent Assembly appears to have been forced on him. The Prime Minister agreed and formed a new cabinet that included General Iskander Mirza, General Ayub Khan and industrialist Ispahani. Strong and persistent pressure was put on Maulvi Tamizuddin Khan to continue as the President of the Constituent Assembly or to become a Minister, both of which he rejected outright. The situation was highly tense and several discussions took place particularly among the leaders from East Bengal. The Constitution drafting Committee had already completed its work, and only the last meeting of the drafting committee was to be held for finalizing and signing of the report. The meeting was held on Monday, October 26, 1954 and the report was finalized. Maulvi Khan made up his mind to challenge the dissolution of the Constituent Assembly. There were two alternatives. The political one of defying the order and convening a meeting of the Assembly, or the legal one of challenging the decision in the court of law. It looks as if the political alternative was not favored by Maulvi Khan and one or two colleagues; moreover, this would have obviously led to serious law and order situation, which would go in favor of the Administration in the context of the great confusion that existed among the political parties and forces in the country. Maulvi Khan therefore decided to challenge the decision in the Courts against all possible odds and threats hurled at him. His official residence in Bath Island Karachi was kept under heavy guard, and he could leave only in disguise through the back door and somehow managed to get to the Court premises in a motor rickshaw-almost a miracle in view of the intense surveillance kept on his house and movements. The case was filed in the morning of the 7th of November, 1954, by Advocate Manzar-e-Alam, and Maulvi Khan spent the whole day in the Court library for fear of being picked up on the way. Before the filing of the case, the Administration did all it could to persuade and threaten Maulvi Khan-the persuaders

included such powerful personalities as Minister General Iskander Mirza, Commissioner Nagvi of Karachi, Secretary M.B. Ahmed of the Constituent Assembly and so on, in addition to the leaders from West and East Pakistan who joined the new Ministry. But Maulvi Khan adhered to his decision and went ahead with the case almost single-handed, both politically and financially.

The case created such a stir and sensation in the country (and also abroad) that everybody was stunned by the strength of character of this quiet man. One should have seen the tremendous public support that the case elicited during the sessions of the court, not only were requests far too many to attend the hearings, but what was really unique is that the entire court compound would be filled up with ordinary people who would come with prayer mats and sit in prayers till the rising of the court. These people had little understanding of the inter-relationships between democracy, Constituent Assembly and Authoritarianism-but there was no mistake that their hearts were in their proper places in this struggle of people against a dictatorial Administration.

### **"Tamizuddin Khan Versus Federation of Pakistan" Case**

**At this stage, a brief account of the case seems to be in order:**

The case arose out of a Proclamation issued by the Governor General on 24.10.1954, which, inter alia, said: "The Governor General having considered the political crisis with which the country is faced, has with deep regret come to the conclusion that the constitutional machinery has broken down. He, therefore, has decided to declare a state of emergency throughout Pakistan. The Constituent Assembly as at present constituted has lost the confidence of the people and can no longer function". The Proclamation was interpreted as having dissolved the Constituent Assembly; and the President of the Assembly, the Deputy President and members were physically prevented from functioning as such.

The Governor General also reconstituted his council of Ministers, including some individuals who were not members of the Assembly. The Writs prayed for were (a) Mandamus, for restraining the Government from giving effect to the Proclamation and interfering with or obstructing the petitioner in the exercise of his functions and duties as the President of the Constituent Assembly, and (b) Quo Warranto, against the new Ministers who were appointed in violation of the Government of India (Fifth Amendment) Act 1954.

About the Proclamation, a Judge of the Sind Chief Court comments as follows:

"The language employed in the Proclamation is somewhat extra-ordinary. It will be noticed that neither section 5, Independence Act, nor any other provision of law has been cited in the Proclamation. It does not even say in clear and specific terms that the Constituent Assembly is dissolved. Normally, whenever any order



is passed, it indicates the provision of law under which the power is exercised. The language of the Proclamation would therefore show that those responsible for its draft could not think of any provision of law".

Laymen may surely think that the Proclamation was issued in a hurry, and then justification sought to be found.

Remembering a few events of those days may help:

- a) The founder of Pakistan-Quaid-e-Azam Jinnah met with an unexpected death in late 1948.
- b) Prime Minister Liaquat Ali Khan was assassinated in Rawalpindi in 1951 and no satisfactory investigation was held.
- c) Khawaja Nazimuddin, Chief Minister, East Bengal in 1947, and Governor General of Pakistan since 1948, came down to become Prime Minister in 1951; and Finance Minister Gholam Mohammad was appointed Governor General.
- d) Several students were killed in Dacca by police firing for their demand that Bengali should be one of the state languages.
- e) Prime Minister Nazimuddin was dismissed by Governor General Gholam Mohammad in 1953 inspite of a majority in the House, to which no objection was raised from any quarters.
- f) Mr. Mohammad Ali of Bogra was appointed Prime Minister in 1953, this was accepted by the House and the majority party the Muslim League.
- g) In the provincial elections in East Bengal held in early 1954, the opposition "Huq-Bhasani-Suhrawardy United Front" won almost all the seats and the Muslim League was very badly defeated.

The above facts and circumstances might have contributed to the delay in constitution-making in Pakistan; but the real cause was a tragic lack of a sense of urgency and accountability on the part of the Government and the Constituent Assembly, and an absence of strong and imaginative leadership able to understand the unique nature of the country calling for a unique constitution. One or two lone voices were raised but completely ignored, and the caravan went on, oblivious of what was happening, or what might happen in future. One thing which must not be forgotten is that everybody was a party to the delay, including the mighty Governor General himself.

Be that as it may, the East Bengal elections of 1954 provided a shock-treatment to the Constituent Assembly, which then resumed work in right earnest. Consensus had been arrived at earlier on certain basic principles, and in the latter half of 1954, the drafting committee had several sessions and its report was ready, the final session of the Constituent Assembly was to be held, and as announced by the Prime Minister, the Constitution was to be ready before 25-12-1954, the birthday of the Quaid-e-Azam.

It is understood that this draft Report recommended that, (a) the President would be a Constitutional Head of State, (b) the Prime Minister would be the effective head of Government, and (c) Ministers will all have to be members of Parliament. As an advance action, the Constituent Assembly amended, on 21.9.54, the Government of India Act 1935. (the interim Constitution) to contain the above provisions. This was done when the Governor General was away from Karachi; the Assembly did a few more things and adjourned to meet again in December, and then the Prime Minister went abroad. The Governor General came back from holiday, and found the political climate too hot and hard for himself and his fellow-travelers in Administration-the thoroughbred bureaucrats. He decided to hit back, laid out a plan, and summoned the Prime Minister back home, who on arrival was taken from the airport to the Governor General's House, and confronted with the Proclamation, and some powerful members of the new Council of Ministers. He was asked to reconstitute the Cabinet, to which he agreed, and the Proclamation was issued on the morning of 24.10.54.

Maulvi Tamizuddin Khan, as President of the Constituent Assembly, submitted his Writ Petition before the Sind Chief Court on 7.11.54 asserting, inter alia:

- a) that the Governor General had no authority under any law either to issue the Proclamation or to dissolve the constituent Assembly;
- b) that the constitutional machinery had not broken down, and the Constituent Assembly had not ceased to function;
- c) that constitutional laws passed by the Constituent Assembly did not need the assent of the Governor General;

and

- d) that only members of the Parliament could be appointed Ministers on the recommendation of the Prime Minister. The writs prayed for were: Mandamus against the Government, and Quo Warranto against the new Ministers.

Against this, the Government responded by asserting that:

- a) the proclamation of the Governor General dissolving the Constituent Assembly was perfectly valid in law and facts;
- b) all laws passed by the Constituent Assembly, including those relating to Constitution, needed the assent of the Governor General; and
- c) the Sind Chief Court was not empowered to issue writs in view of the violation of (b) above.

The case was argued admirably well by both sides, based on their respective interpretations of relevant laws, conventions and practices. Constitutional Lawyers and researchers in law will find these materials highly interesting and illuminating for their purposes. The Chief Court of Sind came to the conclusion that the purported dissolution of the Constituent Assembly was a nullity in law, and that constitutional laws passed by the Assembly were good and valid laws, accepted as such by the High Courts, the Federal Court and the Governor General himself. There were forty six of them to be exact, till 24.10.54, involving such important matters as abolition of appeal to the Privy Council against decisions of the Federal Court. The order of the Court was:

"A writ of Quo Warranto will issue against respondents 4, 5, 7, 8 and 10 (non-Member Ministers) prohibiting them from exercising the office of Minister, and a writ of Mandamus will issue restoring the petitioner to his office as President of the Constituent Assembly by restraining respondents from interfering with his duties and obstructing him in the exercise of his functions".

On appeal to the Federal Court, this judgment of the Sind Chief Court was set aside by a majority judgment on the ground that Section 223-A of the Government of India Act which granted writ jurisdiction to High Courts was not yet law, as it did not receive the assent of the Governor General. In view of this conclusion, the Court did not go into the other issues of the case. One Judge, Justice Cornelius, held that constitutional laws did not need assent, but the majority judgment prevailed, and the appeal was allowed.

This was the end of the case as such, but a beginning of a Pandora's box of confusion arising out of invalidating laws which have been held as valid by courts, and acted upon as such by the Governor General himself. Now there was no Constituent Assembly or Federal Legislature. The Governor General promulgated an ordinance validating thirty five out of forty six impugned legislations with retrospective effect, but the Federal Court turned it down; he wanted to constitute a Constituent Convention, but the Federal Court said it has to be a Constituent Assembly as before, which alone could validate the laws. However, to keep the administration going, the Federal Court agreed that the Governor General could validate these laws as they were, purely temporarily, till the Second Constituent Assembly was set up and took up this work. This was done, and somehow the administration was saved from collapse.

The Court also held that the dissolution of the first Constituent Assembly was valid on the ground of "State Necessity"-a controversial doctrine for more reasons than one. Thus the Second Constituent Assembly was constituted, validated thirty five laws assented to by the Governor General and passed a Constitution in 1956; and all members of the Assembly, including the Speaker went on a standing deputation to the Governor General for his assent.

Iskander Mirza was the new Governor General, who became President under the Constitution; Gholam Mohammad went into oblivion. The same thing happened to Mohammad Ali of Bogra, and Chaudhuri Mohammad Ali was the new Prime Minister. The relationship between the President and the Prime Minister can be seen from the way the President changed Prime Ministers and Cabinets, till he was himself sent into oblivion by the mighty Armed Forces.

The Federal Court's judgment on appeal on the Constituent Assembly case created a sensation and consternation in all legal and constitutional circles. It was generally thought that the court debased its legal and constitutional expertise and image by refusing to call spade a spade and have recourse to a techno-legal fiction long out of use, and not observed at all in framing of the constitution of India, for example. One widely held view is that if it so chose, the Federal Court could have upheld the judgment of the Sind Chief Court and then invoke the doctrine of "State Necessity" to keep the administration functioning. This would have done essentially the same thing while upholding the rule of law. Judges in and out of Pakistan have widely criticized the invoking of the doctrine of State Necessity by the Federal Court. It is reported that the Chief Justice Munir himself has privately admitted that he had to give a political judgment in this case. One only wishes that the hands of the Chief Justice were not forced to do this.

One may perhaps wonder as to what else the Chief Justice could do. Justice Cornelius, of course, opined that the Federal Court should have declared the dissolution of the Constituent Assembly as invalid and then suggested executive actions to keep the Administration going without unnecessary hindrances. Could this really have been done? If so, what were the possibilities? One view is that the Federal Court could have rejected the appeal, which would have restored the Constituent Assembly to its pre-dissolution position and result in the dismissal of the non-Member Ministers. The Federal Court could, almost in the same breath, request the Constituent Assembly to finalize and pass the Constitution by a certain date not extending beyond December 31, 1955. Meanwhile, all executive actions taken could have been protected against any legal/technical mischief. In this way, the image of the sovereign Constituent Assembly and the country could have been saved, the country could have had a Constitution by January 1, 1956, and what is more fundamentally important, the court action would have set at rest the Executive's craze for establishing superiority over the legislature. It

would then be unnecessary to go through the most unbecoming scene of the Members of a sovereign Constituent Assembly standing in a queue for the Constitution to be signed by the Governor General, himself a creation of the constitution!

A moot point to note in this connection is: How did the country react to the action of the Governor General and the verdict of the Federal Court? On the one side was the legal-intellectual elite who considered the action to be all wrong and were unhappy about this decadence of the rule of law. They were also amazed and pleased by the tremendous public sympathy which was exhibited in favor of the President of the Constituent Assembly Maulvi Khan for his character, courage and love for the rule of law. On the other hand, there was the political problem of an ineffective Constituent Assembly changed beyond recognition, which had so far failed to deliver the goods. It is said that the legal Suhrawardy wanted to appear in the case, but the political Suhrawardy was persuaded not to; this conflict between the legal and the political implications of the case was very real in almost all active minds. The question of any protest was out; and there was not even a critical analysis of the case in Pakistan. To crown it all, there was a 'big' flight between two 'big' political leaders of East Pakistan on who would first garland the Governor General on his first visit to the province after the dissolution of the Constituent Assembly! This only shows that although constitutionally untenable, the Governor General's action was accepted politically. This was more so in East Pakistan whose worries were greater because of the inordinate delay in Constitution making, and of the inherent contradiction in the situation in which the party dominating the Constituent Assembly - the Muslim League - met with an abominable defeat in the Provincial elections of 1954 and thereby lost the confidence of their electors particularly in East Pakistan. The Governor General had, therefore, rather an easy sailing on all accounts.

However, the case and the judgment thereon considerably added to the personal respect and prestige that Maulvi Tamizuddin Khan had always been enjoying in the minds of the people irrespective of political affiliations both at home and abroad. He was already the unanimously elected Founder President of Jamiat-ul-Fallah, Karachi, which still pays glorious tributes to him every year. The public tributes paid to him in various forms touched him very much emotionally, which made him forget his own personal problems, to which we shall now refer.

Maulvi Saheb vacated his official residence at Bath Island Karachi and moved to a hired flat at Bahadur Yar Jung Society, Nazimabad. For some time he has thinking of joining the Karachi Bar. He then visited Dhaka and decided to join the Dhaka Bar. He practiced in the High Court for some time, then gave up the practice. Meanwhile he was elected unopposed to the office of the President of East Pakistan Muslim League against his wishes. He took a modest house at Purana Paltan; it was at this time that he started writing his memoirs. He had also written two novels in Bengali which however have

not been published. Even the manuscripts of the books are not traceable in the Press that undertook its printing.

Since 1955 Maulvi Khan lived a quiet life in Dacca and Faridpur and visited West Pakistan a few times. He had a plot of land at Al-Helal Co-operative Housing Society which he had to sell to overcome financial problems. He was not serious at his practice and made some hesitant attempts at business, which, however, did not favor him. He was quite happy with his retired life, and was at his best in the company of his grand children. He must have been watching the developments in the political field -- the approval of the 1956 Constitution by the Governor General who became President thereunder -- the political groupings in the National Assembly and frequent changes in the Cabinet, the great instability in the situation culminating in the declaration of Martial Law on October 7, 1958 by President Iskandar Mirza, who, however, was deposed on October 27, 1958 by the Commander-in-Chief of the Armed forces, General Ayub Khan, who became the Chief Martial Law Administrator and later the President. Ayub Khan secured an affirmative vote in his favor in a referendum, appointed a Constitution Commission and approved a new Constitution in 1962, which gave the country a Presidential form of Government in place of the previous Parliamentary form. Members of the Union Councils were to be directly elected on universal adult franchise and they in turn elected Members of the Provincial and National Assemblies, as well as the President. The system was given the rather grandiloquent name of "Basic Democracy."

Elections were held under the new constitution of 1962 first the President and then the National and Provincial Assemblies were elected. Miss Fatima Jinnah, the sister of the nation's founder Quaid-e-Azam Mohammad Ali Jinnah, stood against President Ayub, and got tremendous support particularly in East Pakistan. Ayub Khan, however, was elected easily. There was opposition to the National Assembly elections, but there was no consensus. Maulvi Tamizudin Khan sought election to the National Assembly and got elected from a Dacca-Faridpur constituency without much difficulty. Others elected from East Pakistan included Khan A. Sabur, Wahiduzzaman, Lal Miah, Fazlul Quader Chowdhury, Shah Azizur Rahman and so on.

Maulvi Tamizuddin Khan was elected the Speaker of the Pakistan National Assembly uncontested, which position he held with dignity till his death on August 19, 1963. Twice he acted as the President of Pakistan during Ayub's absence. However, no one could feel that Maulvi Saheb was the President, such was his simplicity and humility.

He enjoyed tremendous respect in the House and outside, and there were many instances of a turbulent House coming to quiet order due to his presence. His decisions and rulings as Speaker are still quoted with reverence. His death was rather sudden, and when he knew it was coming, he flew to Dhaka in frail health, to lie buried close to his near and dear ones.

## CHAPTER VII THE LAST JOURNEY

Speaker Maulvi Tamizuddin Khan was suffering from a heart ailment and broncho-pneumonia. He left Rawalpindi for Dacca on August 10, 1963. The National Assembly was adjourned and the entire House came to the Rawalpindi Airport to bid him farewell! As soon as his plane landed at Dacca, he was immediately rushed to the Combined Military Hospital. During the nine day treatment, he showed some signs of improvement. But death came slowly and peacefully at 10.40 A.M. Dacca time, on August 19, 1963. His wife and three daughters were by his side.

The news of his death became known to the nation within a few minutes after he expired and spread through word of mouth, while telephone and telecommunication lines carried it to distant lands. Radio Pakistan broadcast the news first and suspending its regular programming, began reciting Tilawat-i-Quran. The tragic news plunged the whole nation, from Chittagong to Khybar, into shock and grief. All evening newspapers announced the news across their front pages with bold headlines. Newspaper offices were flooded with telephone calls from people requesting confirmation of the news. By mid-afternoon condolence messages began pouring in from people in all walks of life, as well as from abroad. The sense of loss was just as intense in Karachi as it was in Dacca. All Government offices, educational institutions and commercial concerns were closed almost immediately, throwing out on the street crowds of people who were in a state of shock. The National Flag flew half-mast on Government and public institutions. Many educational institutions remained closed in Karachi even the day after. The banquet in honor of the visiting Somali Premier was postponed.

While the death of Maulvi Tamizuddin Khan was not totally unexpected given his medical history, people in general were not mentally prepared for that eventuality.

Crowds of people lined the nine-mile route from the Military Hospital in the Cantonment area to the official Speaker's residence at Minto Road, where Maulvi Tamizuddin Khan's body was taken, mourning his death in silence. Hundreds more were waiting at the Speaker's residence to have the last glimpse of the late great leader.

Among those who called on the bereaved family to condole the death were former governor-General Khawaja Nazimuddin, the Speaker of East Pakistan Assembly Mr. Abdul Hamid Chowdhury, former Chief Minister of East Pakistan Mr. Nurul Amin, Maulana Ehteshamul Huq Thanvi, many of his old political associates, Judges of the High Court, Provincial Ministers, members of the Provincial and National Assemblies, the GOC East Pakistan, officials of the Central and Provincial Governments and representatives of the foreign missions.

The funeral procession which started from the official residence of the late Speaker grew thicker and thicker as it approached the Outer Stadium at Dhaka. The body was draped in the National Flag and was brought to the stadium in a weapon carrier with four East Pakistan Rifles (EPR) armed guards standing in attention. A motor rider followed by an escort jeep led the procession. With thousands of mourners lined up on either side of the road it took the procession about half an hour to cover the mile and a half road. It was a never ending queue of cars, jeeps, vans and human beings trailing along solemnly. The coffin was so thickly covered with flowers and garlands that it was hardly visible.

At the time of Namaz-i-Janaza, people jam-packed road sides and roofs of the stadium. Maulana Ehteshamul Huq Thanvi led the Namaz-i-Janaza. About fifty thousand people attended the Namaz-i-Janaza. Gaibana Namaz-i-Janaza of Maulvi Tamizuddin Khan was held in Karachi and elsewhere in Pakistan the following day. The dignitaries who visited the Speaker's residence also attended the funeral prayers. Governor Monem Khan represented himself and President Ayub at the funeral, at the latter's request. Even a contingent of the Armed Forces attended the Janaza. The Deputy Speaker of the National Assembly, Mr. Justice Cheema flew from Rawalpindi to attend his Janaza.

The prayers over, mourners converged into a procession and shouldering the coffin moved silently towards the second capital where the Speaker was to be laid to eternal rest. Maulvi Saheb was given a State Funeral with full military honors. On both sides of the road, half a mile from the burial place troops had lined up. Headed by the GOC and followed by the troops, the funeral procession marched on. Maulvi Tamizuddin Khan was laid to rest near the proposed site of the Pakistan National Assembly in the Second Capital area near Tejgaon. When the body was lowered in the grave by three of his relations, a 21-gun salute was fired, and the "Last Post" was sounded by the buglers. The GOC placed a wreath on the grave. Among others, Maulvi Tamizuddin Khan's widow, and all other family members were present at the time of the burial.

A stream of condolence messages, both from home and abroad, as well as an outpouring of genuine love and affection accompanied Maulvi Tamizuddin Khan's passing away. In eulogizing him various West Pakistani Leaders called him "a jewel" and "a Saint." President Field Marshal Mohammad Ayub Khan, a defendant in the landmark "Maulvi Tamizuddin Khan versus Federation of Pakistan" case, mourned his death. In a message to Begum Tamizuddin Khan from Muree, President Ayub said: "I was shocked to learn that Maulvi Tamizuddin Khan Sahib passed away this morning. Although he had been ill for sometime the recent improvement in his condition had given us all hope that he would get better. His passing away is a great national loss. Not only was he a determined fighter for national causes all his life but he occupied the Speakership of the Constituent Assembly and later of the National Assembly with great distinction and ability. He was respected and liked by all those who came into contact



with him and all of us therefore have a sense of severe personal loss and sorrow. We share your grief and join you in mourning his death. May his soul rest in eternal peace and bliss." The President asked the Governor of East Pakistan to represent him at the funeral of Maulvi Tamizuddin Khan.

Mohtarama Miss Fatema Jinnah, sister of Quaid-i-Azam Mohammad Ali Jinnah, and at that time Chief Opposition leader of Ayub's regime said: "I am grieved to hear of the sudden death of Maulvi Tamizuddin Khan. He was, at the same time, a great patriot, parliamentarian and a democrat. He took part in the struggle of Pakistan and after it came into being Maulvi Tamizuddin Khan devoted his life for the cause of the people and his services as Speaker both in the National and the late Constituent Assembly of Pakistan will never be forgotten. My deepest sympathies are with the bereaved family."

Recalling his association with Maulvi Tamizuddin Khan in the Muslim League and Khilafat Movement, Maulana Abdul Hamid Khan Bhashani called him a "true servant of God" and a great "Mujahid." Added Moulana Akram Khan: "Pakistan lost a real great soul in the death of Maulvi Tamizuddin Khan." Khawaja Nazimuddin in his condolence message said: "I have lost a personal friend of 30 years standing. We have been together in the Muslim League and the struggle for Pakistan. His services to the nation and Pakistan would be written in letters of gold. He was always held in great esteem and respect by his political friends and opponents. As Prime Minister of Bengal in pre-partition India I included him in my cabinet. The names over which I had no hesitation in making the selection were that of Mr. H.S Suhrawardy and Maulvi Tamizuddin Khan. He distinguished himself as a fair and impartial Speaker of the Constituent Assembly and after the dissolution of the Constituent Assembly Sardar Nishtar, Fazlur Rahman and myself were the main persons behind him when he brought his historic suit against the dissolution of the Constituent Assembly; in spite of the threats of all kinds from the Home Minister, he never wavered and fought to the last. Pakistan will find it very difficult to replace a man like Maulvi Tamizuddin Khan and East Pakistan has suffered an irreparable loss."

Such accolades were heaped on him by West Pakistani leaders as well. Dr. I.H. Qureshi, Vice Chancellor of Karachi University called him, "not a man, but an institution." Sardar Bahadur Khan, Leader of Opposition in the National Assembly called him "personal friend and life-long coworker", a "Symbol of Freedom. The Central Finance Minister Mr. Mohammad Shoaib called him a "great patriot, a great statesman and a selfless worker. The nation as a whole has become poorer by his death." Maulana Abul Ala Maudoodi of Jammat-i-Islam called the death "a great national tragedy." He went on, "for the bold and courageous stand taken by him when the Constituent Assembly was dissolved, it was easy to understand as to why he did enjoy the confidence of the people of Pakistan." The Central Law Minister Sheikh Khurshid Ahmed said: "The entire nation felt bereaved. Maulvi Tamizuddin Khan always associated with Muslim causes throughout his illustrious career. He was a patriot and democrat of the highest order. In

the crisis of 1954, he alone stood up to challenge the validity of the dissolution of the Constituent Assembly. He was a man of deep convictions and great courage. As an authority on parliamentary procedure he was not only respected in Pakistan but also abroad. His death at this critical time has snatched away a great national leader and has caused an irreparable loss. The Ambassador of Afghanistan, Mr. Mohammad Hashim Maiwandwal described the death as "a great loss to Pakistan." Adding, "Maulvi Sahib's devotion to the cause of the people and the nation would be a lasting example of his patriotism." Mr. Walter P. McConaughy, the United States Ambassador in Pakistan, said he was deeply grieved by the death of Maulvi Tamizuddin Khan. He described him as a friend and a leader known worldwide for his ability, integrity, courage and devotion to principle.

The '*New York Times*' published Maulvi Tamizuddin Khan's obituary with a photograph on August 20, 1963. Under the heading "Maulvi Tamizuddin Khan Dies; Speaker of Pakistan Assembly" it said: "Maulvi Tamizuddin Khan, Speaker of Pakistan's National Assembly, died yesterday of pneumonia. He was 73 years old. Mr. Tamizuddin Khan was one of Pakistan's few remaining elder statesmen. In 1954 he led a successful campaign to overturn a decision by a former Governor General who had dissolved Pakistan's Constituent Assembly, of which Mr. Tamizuddin Khan was President. He had been unanimously elected to the post in 1948 on the death of the founder of Pakistan, Mohammed Ali Jinnah. On the promulgation of a new constitution last year, he was again unanimously elected President of the National Assembly. In May Mr. Tamizuddin Khan toured the United States by invitation of Washington and met President Kennedy and attended a session of Congress. Mr. Tamizuddin Khan was elected to the Bengal Legislative Council in 1926. He was an ardent fighter in India's independence movement and underwent two years imprisonment in pre-independence days for his activities. He had given up a lucrative law practice in response to a call for non-cooperation with the British rulers. In a signed newspaper article published here recently, Maulvi Sahib, as he was affectionately called, poked gentle fun at his British jailor. He wrote several works of fiction in Bengali and was twice a Minister of undivided Bengal."

In its editorial entitled, "Tamizuddin Khan", Dhaka's '*Daily Ittefaq*' said "Maulvi Tamizuddin Khan had a long political life. Starting with the Khilafat Movement, his name was associated with many political ups and downs. After the creation of Pakistan, his role in the brittle politics prevailing in the country may not always have been above controversy. The bold role that he played in challenging the undemocratic dissolution of the Constituent Assembly by late Mr. Gholam Mohammad, was not repeated in later years, probably because of old age. Nevertheless, because of who he was, he was undeniably a significant personality in the politics of this nation. Therefore, his demise is naturally a loss. Mr. Tamizuddin Khan's personal qualities deserve high praise. After his death we should focus specially on the excellence of his character. Even his political opponents would praise his honesty, mild manners and pleasant demeanor. We are

deeply sad at the death of Maulvi Tamizuddin Khan. Our heartfelt condolences to the members of the bereaved family."

The '*Pakistan Observer*' under the headline "Maulvi Tamizuddin Khan" published the following editorial: "Maulvi Tamizuddin Khan had an active and eventful political career beginning from 1920 when he joined the Non-Cooperation and Khilafat movements. That as a result of his active association with the freedom movement he was arrested in 1921 showed that his response to the movement sprang from a real love for the country. Elected to the Bengal Legislative Council and Assembly twice in 1926 and in 1929, as a Muslim League candidate, he became a Minister in undivided Bengal in 1938 and again in 1942. Just before independence he became a member of the Indian Constituent Assembly and on the death of Quaid-e-Azam he was unanimously elected President of the Pakistan Constituent Assembly. The legal stand that he took against the dissolution of the Constituent Assembly by the late Gholam Mohammad not only revealed the strength of his convictions but was also considered as a fight for restoration of democratic rights. Although many did not see eye to eye with him during the later part of his political life, there is none who will not recognize his close and active participation in the country's freedom movements from the Congress and then from the Muslim League platforms. Despite political differences he was widely acclaimed because of his suavity and enlightenment. Born in 1890, he died at the ripe age of 73 and lived a full life. It is, therefore, not a case of premature death. That does not however lessen the deep shock and grief that has overwhelmed his family and his many friends and admirers. We extend our sincere condolences to the bereaved family and pray to God for the departed soul."

Under the caption, "Heroism without Heroics", the '*Morning News*' said in an editorial" – Yesterday in the morning he passed away and with his death another link with the past has snapped. He was a great fighter in the cause of freedom and a champion of democratic values. Nothing could daunt him, nothing could make him deviate from the path he had considered to be right. His steadfastness may not have been of the spectacular type. He was firm. At times it seemed that he shunned undue publicity. In spite of his long political career he developed a retiring disposition. He never bowed before insolent might. When he was a political prisoner he resolutely refused to salute officials, even though he had to suffer for his independence and sense of self-respect. There was always a sense of dignity about him, which commanded respect. A man of convictions, he would not compromise on fundamentals. Threats and cajolery had hardly any effect on him. His was heroism without heroics."

"He was in the forefront of the freedom struggle and the Pakistan Movement. He gave up his legal practice to join the Khilafat and the non-cooperation movements in 1920. Later he resigned from the Congress. His legislative experience and ability were recognized by all. He was the Deputy President of the first Constituent Assembly of Pakistan under Quaid-e-Azam. In 1948 he was unanimously elected president of the

Constituent Assembly. When the first Constituent Assembly was dissolved, he stood up for parliamentary life without yielding to any form of coercion or intimidation. He was a great defender of the rights and privileges of the House. His unanimous election as the Speaker of the National Assembly of the Second Republic of Pakistan in June last year was a measure of the esteem in which he was held by all sections. His integrity and sincerity were beyond question. Even his opponents admired him and paid tributes to the qualities of his head and heart. He was for many a symbol of novels to his credit, and he edited two weeklies, "*Paigam*" and "*Madina*." His interest in literature was undiminished till the last. He was said to be writing his memoirs in English. Even if he could not complete them, they should be rewarding for any serious student of the Pakistan movement. He was also interested in football, cricket and angling. The last sport was reflective of his quiet disposition. Great though his achievement as a parliamentarian are, he will be remembered by those who had the good fortune of knowing him closely as a kind, gentle, considerate and courageous man with old-world values. To the bereaved family we offer our heart-felt condolence. Theirs is a grief shared by thousands. May Allah give them strength to bear this terrible loss."

Perhaps the '*Dawn*' of Karachi summarized the life and achievements of Maulvi Tamizuddin Khan best. Under the headline "Maulvi Tamizuddin" the editorial said: "There are not many left of the stalwarts who took a leading part in the revival of the Muslim nation in the sub-continent and through whose untiring efforts under the leadership of the Quaid-i-Azam this Muslim Republic of Pakistan was brought into being. The death of Maulvi Tamizuddin Khan removes from the scene one of the sincerest and doughtiest of the survivors. For several days he hovered between life and death in the CMH, Dacca, but it was death that triumphed. It is needless here to narrate the details of the late Maulvi Tamizuddin's career, a brief resume of which appears elsewhere in this issue; but in writing on his demise the first thing that comes to the mind of the present writer-who had many decades of association with the departed leader-is that few even among his contemporaries were as devoted to the principle of plain living and high thinking as he was. Religious and honest in every way, sincere and devoted in his political and personal loyalties, fearless even in the face of ruthless opposition, and high principled to a fault-such was the late Tamizuddin. He might not have been brilliant in the sense that some of the latter day politicians are, or pretend to be; but there were none to beat him in his steadfastness to the cause that he believed in. He made the greatest impact on public opinion in Pakistan as well as abroad, when he challenged through legal and constitutional means-the infamous act of Pakistan's first and eccentric dictator-the late Ghulam Mohammad-who dissolved the Constituent Assembly and started the downward trend in Pakistan's political life. It is probably not generally known that the late Maulvi Tamizuddin was subjected to all kinds of threats in order to coerce him into withdrawing the legal proceeding, but he remained adamant. In the end he may have lost the case, but he won a victory for self- respect, fearlessness in political struggles and for the principles of democracy. The country is by no means out yet of the morass into which the intrigues and ambitions of the third

Governor General-who was sick both in body and mind-had plunged it, but little by little the dark clouds are lifting. In setting that process in motion Maulvi Tamizuddin played a quiet role but nevertheless, a hero's role. As Speaker of the present National Assembly, the Maulvi Sahib also had the occasion to officiate as the Head of the State during the president's tour abroad. He thus attained the highest honor that any citizen could covet, and he fulfilled the role with dignity. The nation will mourn this loss for many a day and the gap created in the ranks of what is called the "old guard" of Muslim politics-through devastating laws of man and acts of God-will not be easily filled, or filled at all. But such is life and every nation has to take these losses in its stride. We offer our heartfelt condolences to Maulvi Sahib's bereaved family and join all other Pakistanis in praying that his departed soul may rest in peace."

## APPENDICES

The Constituent Assembly case 1954-55 is an important event in the life and activities of Maulvi Tamizuddin Khan; he fought the mighty Governor General Gholam Mohammed in this case almost single-handed; and won a unanimous verdict in his favor from the Sind Chief Court, declaring that the dissolution of the Constituent Assembly by the Governor General was illegal and invalid, restoring Mr. Khan to his position as President of the Assembly, and preventing Government from obstructing him in the exercise of his functions. This judgment was, however, set aside in appeal to the Federal Court, with one Judge a Britisher-dissenting. The dissolution of the Constituent Assembly was thus legalized; but this created a lot of legal and administrative complications, to obviate which the Governor General made a Special Reference to the Federal Court again for opinion.

These Judgments/orders are quite lengthy in size, and would not interest the general public very much. Therefore, Excerpts have been selected from these, in the interest of economy of space and cost, without jeopardizing, it is hoped, the main theme and conclusions.

2. Copies of four Letters from the President of the Constituent Assembly to the Prime Minister, dated 1951-52, are also being annexed; which may throw some light on the matter of delay in Constitution-making in Pakistan. There were some more letters relevant to this, but they have been misplaced.

## APPENDIX - I

### IN THE CHIEF COURT OF SIND Extraordinary/Special Jurisdiction

Before

The Honorable Mr. Justice Constantine, the Chief Judge.

The Honorable Mr. Justice Vellani

The Honorable Mr. Justice Mahomed Bachal

and

The Honorable Mr. Justice Muhammad Bakhsh.

*Writ Petition No. 43 of 1954.*

Maulvi Tamizuddin Khan –  
Petitioner.

versus

1. Federation of Pakistan
2. Mohammed Ali, Prime Minister of Pakistan.
3. Chaudhri Mohammed Ali, Member, Council of Ministers.
4. Major-General Iskander Mirza, Member, Council of Ministers.
5. M. A. H. Ispahani, Member, Council of Ministers.
6. Dr. A. M. Malik, Member, Council of Ministers.
7. Dr. Khan Sahib, Member, Council of Ministers.
8. General Mohammed Ayub Khan, Member, Council of Ministers.
9. Ghyasuddin Pathan, Member, Council of Ministers.
10. Mir Ghulam Ali Talpur, Member, Council of Ministers.
11. Estate Officer, Government of Pakistan – Respondents.

Mr. D. N. Pritt,

Mr. I. I. Chundrigar,

Mr. Wahid-ud-Din Ahmed,

Mr. Manzar-e-Alam,

Mr. Syed Sharifuddin,

Mr. Mohd. Naseem,

Mr. Homi P. Nocilwala, Advocates for the petitioner.

Mr. Faiyaz Ali, Advocate-General of Pakistan assisted by Mr. Abdul Haq for respondents 1, 2, 3, 6 and 9.

Mr. Manzur Qadir, assisted by Mr. Muhammad Ismail Bhatti for respondents 4, 5, 7, 8 and 10.

## 9-2-1955 JUDGMENTS

1. *CONSTANTINE C. J.*-On 24th October 1954 His Excellency the Governor-General issued a proclamation which my learned brothers Vellani and Muhammad Bakhsh have set out in full.

In pursuance of the proclamation the cabinet was reconstituted, respondents 4, 5, 7, 8 and 10 not being members of the Constituent Assembly. The petitioner was informed by respondent 4 that the Constituent Assembly had been dissolved, and the Constituent Assembly was prevented from meeting. The petitioner as President of the Constituent Assembly prays for writ of mandamus and quo warranto.

(i) to restrain the respondents from giving effect to the proclamation and from obstructing the petitioner in the exercise of his functions and duties as President.

(ii) to determine the validity of the appointment as Ministers of respondents 2 to 10. The facts are not in dispute.

The respondents rely on objections both preliminary and as to the merits.

The first preliminary objection is that any constitutional provision requires not only passing by the Constituent Assembly, but also assent by the Governor-General as condition of valid enactment: this assent being absent, section 233 A of the Government of India Act fails, and with it fails the writ jurisdiction which it purports to confer. This same objection applies to new section 10 of the Government of India Act, which purports to limit the discretion of the Governor-General in his choice of Ministers, and the objection thus also pertains to the merits of the prayer for a writ of quo warranto.

The validity of laws enacted by the Constituent Assembly has been tested in the Courts of Pakistan, including the Federal Court. Only once has this objection been argued, and it was then overruled by Agha, J. sitting alone in P. L. D. (1950) Sind 49, the argument then being founded upon section 6 (3) of the Indian Independence Act. Many Acts spread over the period since partition have been passed by the Constituent Assembly, and in particular it may be noticed that what I may call the Privy Council jurisdiction of the Federal Court rests upon law enacted by the Constituent Assembly. It seems obviously presumable that until the present petition, the Law Officers of the Crown considered assent not necessary. The objection is novel, and if accepted would upset a consistent course of practice and understanding.

The learned Advocate-General relied both upon prerogative and section 6 (3) of the Indian Independence Act 1947, and I will deal with the latter first.



The preamble of the Independence Act is as follows:

To make provision for the setting in India of two independent Dominions, to substitute other provisions for certain provisions of the Government of India Act, 1935, which apply out-side those Dominions, and to provide for other matters consequential on or connected with the setting up of those Dominions.

Section I provides for the setting up of the two independent Dominions of India and Pakistan. Sections 2, 3 and 4 provide for the divisions of British India between the two new Dominions. Section 5 provides for appointment by Her Majesty of a Governor-General who shall represent Her Majesty for the purposes of the Government of the Dominion. By sections 6 and 7 Parliament and Her Majesty's Government in the United Kingdom abdicated power and responsibility over the new Dominions. By section 6 the Legislatures of the new Dominions shall have full power to make laws repugnant to the law of England and any Act of Parliament, while Parliament itself abandons its power to legislate for the new Dominions: by subsection 3 it is provided that the Governor-General shall have full power to assent (in His Majesty's name) to any law of the Legislature of the Dominions and provisions as to disallowance or reservation in any Act shall cease to apply to the new Dominions. Pausing here, it should be noted that the words "in His Majesty's name" were deleted by Act of the Constituent Assembly from this sub-section and also from section 18 of the Government of India Act in 1950 with retrospective effect, but for the purposes of the learned Advocate-General's argument (which would invalidate the amending Act) the deletion is to be ignored.

After these abdicatory sections we reach in section 8 the temporary provision as to government of each of the new Dominions. The powers of the Legislature of the Dominion shall, for the purpose of making provision as to the Constitution of the Dominion, be exercisable in the first instance by the Constituent Assembly, and references in this Act to the Legislature of the Dominion shall be construed accordingly. The Dominion is to be governed by the Government of India Act as nearly as may be except in so far as other provision is made by or in accordance with a law made by the Constituent Assembly, subject to certain express provisos and the power under section 9 of the Governor General-limited to a time which has now expired-to amend the Government of India Act. The important relevant provisos were the elimination of any control of His Majesty's Government in the United Kingdom, of discretion and individual judgment of the Governor General and Governors, and of reservation and disallowance of Provincial legislation, and lastly that the powers of the Federal Legislature should in the first instance be exercisable by the Constituent Assembly in addition to the powers exercisable by it in sub-section (1). Sections 10, 11, 12, 13 and 14 contain particular provisions regarding the various services. Section 15 deals with litigation by or against the Secretary of State, section 16 with Aden, and Section 17 with divorce jurisdiction. Section 18 provides inter alia for the continuance of the existing

law of British India, except in so far as altered by competent authority, and for the lapse of Instruments of Instructions. Section 19 is an interpretation section and in particular subsection (3) provides that in relation to Pakistan references to the Constituent Assembly shall be construed as references to the Assembly set up or about to be set up at the date of the passing of this Act under the authority of the Governor General, and gives power to the Assembly to make provision for representation in the Assembly of Indian States and tribal areas and the filling of casual vacancies: an amendment by the Assembly gives power to it to increase, reduce or redistribute seats therein.

The key to the interpretation of the Act is provided by the preamble -- the independence of Pakistan. The purpose of section 6 is to efface the supremacy of Parliament in the United Kingdom and to confer power, unfettered by any control from the United Kingdom, upon the Legislature of the Dominion. The Legislature of the Dominion has not been defined but the wording in subsection (1) of section 8 "shows that it is not restricted to the Constituent Assembly, but refers to future legislative bodies, and further that the legislature of a Dominion is not restricted to making provision as to the constitution. The Federal Legislature until other provision is made by the Assembly is also part of the Legislature of the Dominion. This is consistent with subsection (3) of section 8 which provides that any provision of the Government of India Act which limits the power of the legislature of the Dominion shall –have the like effect as a law of the Legislature of the Dominion limiting for the future the powers of that Legislature. I think that the use of a small or a capital letter in the word "legislature" is irrelevant.

Legislature of the Dominion appears thus to be a comprehensive term, embracing every legislature which has power to legislate for the Dominion as a whole whether its power is derived from the Independence Act or from the future legislation of the Constituent Assembly, and whether its power is derived from the Independence Act or from the future legislation of the Constituent Assembly, and whether its power is restricted to or does not extend to the making of constitutional laws.

When we turn to subsection (3) of section 6 we find that the Governor General's full power to assent is accompanied by deletion of disallowance, reservation, and suspension, and in my opinion the purport of the section is to provide that the Governor General's power of assent is not to be controlled by Her Majesty: this is in keeping with the key to interpretation provided by the preamble the declaration of independence-and with the purport of sections 5, 6 and 7-the abdication of all control by the Crown, Parliament, and Government of the United Kingdom. As Agha, J. held sub-section (3) does not provide that assent is necessary, but that if assent is necessary the Governor General shall have the full power. The necessity of assent was retained in the Government of India Act in respect of the Federal Legislation: no corresponding

provision necessitating consent in respect of the Constituent Assembly was inserted in the Independence Act.

The Crown in exercise of the prerogative may legislate for conquered or ceded territories of the Crown, but the prerogative is subject to legislation by Parliament binding the Crown by express words or necessary implication. The legislature of the Dominion is given full powers to make laws for the Dominion, and its powers for the purpose of making provision as to the constitution of the Dominion are exercisable by the Constituent Assembly. The Crown is not named as sharing in those powers, and the clear implication is that the Crown is excluded.

Section 10 of the Government of India Act substituted by the Government of India (5th Amendment) Act 1954 is thus valid, and it follows that prima facie those respondents who were not members of the Federal Legislature have been illegally appointed as Ministers. After a faint attempt at argument by Mr. Pritt who had not had the time to study the various notifications, it was conceded by Mr. Chundrigar that other respondents were saved by the new section 10-A. For the opponents it was argued that, the Legislature being dissolved, it was impossible to appoint Ministers from the Legislature: that may be so, but no attempt has been made to shew that Government could not continue without appointment of fresh Ministers.

That section 223 A, if valid, confers upon this Court the power to issue writs in the nature of quo warranto is undisputed. The learned Advocate General argued that the writ can issue only at the instance of the Crown; and not against persons appointed to office by the Crown: this argument was advanced by the Attorney General and rejected by the King's Bench Division. Lord Reading presiding, in Speyer's case.

The Advocate General argued from the Palikamedi case that where the subject-matter falls beyond the local limits of the High Court's jurisdiction, this Court has no power to issue a writ. Now that Privy Council case was concerned with the jurisdiction of the Madras High Court as heir to the jurisdiction of the Supreme Court to issue a writ of certiorari. The Supreme Court's local jurisdiction was confined to Madras city: the Sadar Diwani Adalat exercised jurisdiction over the mofussil and had not the power to issue such writs. The power to issue such writs was confined to the High Courts of the Presidency Towns. Therefore the Privy Council held that the mere location of the Board of Revenue inside the city limits did not entitle the High Court to review its orders passed in respect of a subject matter located outside the city. Now however section 223-A has covered the whole area of the Dominion (excluding acceding States) with writ jurisdiction divided between the High Courts: the only condition is that the person or authority to whom the writ is issued shall be within the local jurisdiction of the High Court. Can the High Court then now issue writs where the authority is within its limits, but the subject-matter lies without its limits? On such a point English Law provides no guidance; for the King's Bench had jurisdiction throughout the whole of England. The

Supreme Court of India has decided in the affirmative. It is not however necessary to decide the point: for it is clear that Central Ministers even if their jurisdiction extends beyond Sind and Karachi, yet exercise jurisdiction within Sind and Karachi.

I would therefore issue a writ in the nature of quo warranto against respondents 4, 5, 7, 8 and 10.

The proclamation has been accepted by the parties as purporting to dissolve the Constituent Assembly. Has the Governor General the power to dissolve the Assembly? This question is *res integra*. The opponents based the power on prerogative and upon the statutory power which they argue is conferred by section 19 (3) (b) of the Independence Act. The Governor General by order under section 9 amended the Government of India Act so as to deprive the Governor General of the power to dissolve the Federal Legislature while retaining the power to summon and prorogue. The Independence Act is silent regarding summoning, proroguing or dissolving the Constituent Assembly. By rule 9 of the Rules of Procedure, the President is given the power to summon and prorogue dissolution according to rule 15 is possible only by resolution assented to by at least two thirds of the Assembly. It is argued by the petitioner that the power to dissolve the Federal Legislature was taken out from the Government of India Act because the Governor General had no power to dissolve the Assembly. The opponents on the other hand argue that because the Assembly exercises the powers of the Federal Legislature therefore the Federal Legislature's dissolution would automatically accompany the dissolution of the Assembly and therefore it was inappropriate to retain any provision for dissolution of the Federal Legislature and therefore the commission of the Governor General's power to dissolve the Federal Legislature does not support any inference that the Governor General has no power to dissolve the Assembly. I consider that the opponents argument is correct to this extent, that from the taking away of the power to dissolve the Federal Legislature no inference is deducible as to the presence or absence of power to dissolve the Constituent Assembly: for suppose that the Independence Act had expressly stated that the Governor General had no power to dissolve the Constituent Assembly and alternatively suppose such power had been expressly given, yet in either case it would have been appropriate to take away the power to dissolve the Federal Legislature. The Indian Independence Act contains no express provision for dissolution of the Assembly. Judging by rule 15 and by the proclamation it appears common ground that both the Assembly and the Governor General considered that the Assembly was subject to dissolution. Did Parliament intend that it should be subject to dissolution? Throughout the Commonwealth the membership of every representative legislature is renewable in order that it may more faithfully represent the opinion of those whom it represents: on the other hand, as the very name shows, a constituent assembly is created for particular and temporary purpose of framing a constitution, and it is arguable with equal plausibility that to effect this purpose was not expected by Parliament to take a long time and that the effecting of the purpose, that is the framing of a constitution, would

ipso facto achieve the supersession of the temporary legislature which had framed the new constitution by the permanent legislature for which the new constitution would provide. Now in England the dissolution of Parliament is a matter of prerogative (Hall. 2nd ed. vol. VI para 554): but Parliament in England, like the prerogative, is a creature of the common law. Where legislatures have been created by statute, dissolution has been provided for by statute. (Hence the contrasting omission in the Independence Act appears deliberate). There is no case throughout the Commonwealth outside England where dissolution of a legislature takes place except by express provision in the Constitution, whether granted by statute or order in council. The prerogative of dissolution in my opinion extends only to the parliament of the United Kingdom: elsewhere dissolution is dependent upon statute or order in council.

The learned Advocate General relied upon section 19 (3) (b) which reads "References in this Act to the Constituent Assembly of a Dominion shall be construed as references— (b) in relation to Pakistan to the Assembly set up or about to be set up at the date of the passing of this Act under the authority of the Governor General as the Constituent Assembly for Pakistan." This provision, he argued, is to be construed according to section 32 (1) and (2) of the Interpretation Act 1889 (52 and 53 Vict. c 63): (1) Where an Act—confers a power—then unless the contrary intention appears, the power may be exercised— from time to time as occasion occurs.

(2) When an Act— confers a power—on the holder of an office, as such, then unless the contrary intention appears, the power may be exercised— by the holder for the time being of the office." Here however a contrary intention appears limiting the power of the Governor General to one period, namely about the date of the passing of the Act.

It follows therefore that the Constituent Assembly's purported dissolution is a nullity in law, and that both it and the office of its President are still existent. It is common ground that as a result of the proclamation the petitioner has been prevented from performing the functions of his (undoubtedly public) office. We have the power to issue writs against any Government, and that Government for this purpose includes the Federation of Pakistan appears undeniable. Section 306 of the Government of India Act confers a personal immunity upon the Governor General: it does not limit the scope of proceedings against "Government," which expression in the case of the Federation of Pakistan corresponds to the executive authority of the Federation exercised by the Governor General either directly or through officers subordinate to him. That where an incumbent of a public office has been wrongfully dispossessed of his office mandamus lies against the person so dispossessing him is clear from *Rex v. Blooer* 2 Burr. 1042 (97 English Reports 697).

I would therefore issue a writ of mandamus restraining the respondents from preventing the petitioner from performing the functions of his office of President of the Constituent Assembly. I would order the opponents to bear the costs of the petitioner.

9th February, 1955.

(Sd.) G.B. Constantine,  
CHIEF JUDGE

2. *W.B.L. VELLANI, J.*

**Excerpts:**

"The special task of the Constituent Assembly was to frame the Constitution of the Dominion, and till it had done so, it was to exercise the powers of the Federal Legislature as well" – These two categories of power, however, remained distinct, the power of the Federal Legislature being governed by the Government of India Act 1935, and powers of the Constituent Assembly being governed by the Indian Independence Act. . (1947)

"It is (therefore) not correct to say that the prerogative to dissolve the Constituent Assembly remains unaffected by the provisions of the Indian Independence Act".

"Under (C) of subsection (1) of Section 9 of the Indian Independence Act, – the power of the Governor General to dissolve the Federal Legislature was taken away, though his powers to summon and prorogue it were allowed to remain".

"The prerogative to dissolve is governed by the express provisions of Section 5 of the Indian Independence Act, and that Section does not enable the Governor General to dissolve the Constituent Assembly".

"Never before this instance in the entire existence of Pakistan, has any action of Government ever been taken on the basis that a Bill of the Constituent Assembly requires the assent of the Governor General – Among the numerous Acts – which have been acted upon – is the Privy Council (Abolition of Jurisdiction) Act 1950 – The Constitution of India framed by the Constituent Assembly of India under – the same provisions – was not assented to by the Governor General of India, and the Supreme Court has been treating the Constitution valid and enforcing its provisions".

It has been said that mandamus does not lie, there being no specific statutory right in the petitioner, and specific statutory duty upon the respondents to maintain the petitioner in his office. 'Since the power exists to restore by mandamus a person ousted from his public office; no reason appears why it should not be used to restore the petitioner to his high office; it is certainly an office of a public nature and involves emulations and advantages' – 'In a case of this nature where the action complained of was so deliberate, it seems idle to suggest that a demand by the petitioner would have led to any compliance on the part of the respondents' – I would therefore issue a writ of mandamus restoring the petitioner to his office as President of the Constituent Assembly and restraining all the respondents from obstructing or interfering with the exercise by the petitioner of the functions and duties of his high office. I would also

issue a Writ of Quo Warranto against respondents 4, 5, 7, 8 and 10 declaring that by reason of Section 10 of the Government of India Act as amended on 21.9.1954 they are not qualified for appointment as Ministers, not being Members of the Federal Legislature".

3. *MAHOMED BACHEL, J.*

I agree in the order proposed by my Lord, the Chief Judge'.

4. *MUHAMMAD BAKHSH, J.*

The Constituent Assembly held various sessions from time to time. On the Constitution side the work of drafting and enacting the Constitution for Pakistan was being finalized, and final session in this behalf was to be held and as publicly declared and announced by the Prime Minister of Pakistan, respondent No. 2 himself, the Constitution for this country was to be ready before 25.12.1954, coinciding with the birthday of the Quaid-i-Azam.

'On 24.10.1954—the Governor General—was pleased to issue a Proclamation declaring (inter alia) that the constitutional machinery has broken down, a state of emergency – (and also) that the Constituent Assembly as at present constituted has lost the confidence of the people and can no longer function'.

'On 25.10.1954 the final meeting of the Drafting Committee appointed by the Constituent Assembly was held wherein the Draft Constitution was approved and the report of the Committee was finalized and signed on 26.10.1954 between 8.30 and 9 A.m. respondent No. 4 approached the petitioner and represented to him that in view of the alleged proclamation of 24.10.1954, the Constituent Assembly was dissolved. He tried to persuade the petitioner to accept that position but the petitioner declined to do so. On 27.10.1954 the Constituent Assembly Building was guarded by a strong Police force and members of the Constituent Assembly including the Deputy President were prevented from entering the said premises'.

'(British) Parliament which had enacted the (Indian) Independence Act gave parliamentary recognition to the fact that the Acts passed by the Constituent Assembly did not require the assent of Governor General'.

The Governor General of Pakistan has himself passed so many orders under various Acts passed by the Constituent Assembly, and never was any question raised on his behalf that any of the Acts was invalid for want of assent—On the contrary the position was accepted that the Acts were quite valid and good law even though they had not received the assent of the Governor General'.

'In case Sind 49: 1950, Mr. Manzoor Qadir Advocate took the plea that no assent was necessary to the Acts of the Constituent Assembly – the Act did not require the assent of the Governor General, as it was passed by the Constituent Assembly sitting as a Constitution making body and not as the Federal Legislature'.

– In PLD 1959 Sind 49, a point was actually taken by the advocate of Mr. Khuhro that the assent of the Governor General was necessary, and Mr. Manzoor Qadir appearing for the Federation of Pakistan raised the plea that no such assent was necessary. It was, however, decided very definitely and clearly by the 'Court that the assent was not necessary – It was of course amusing to hear Mr. Manzoor Qadir saying now that his own view in 1950 was not mature:

The Constituent Assembly – was also to act as the Federal Legislature under the 1935 Act, and the life of the Constituent Assembly was to last till the Constitution was made for Pakistan. Therefore, it could not be dissolved till it had completed the Constitution – The dissolution of the Constituent Assembly will mean the dissolution of the Federal Legislature and vice versa. Because the life of the Constituent Assembly was unlimited and because it could not be dissolved till it had completed the functions for which it was created under the Indian Independence Act, it was impossible to retain the Governor Generals' power of dissolving the Federal Legislature under Section 19 (2) (C). Hence this power of dissolution was deliberately withdrawn with the set purpose'.

"The real position is so simple. The Constituent Assembly being a sovereign body is summoned and prorogued by the President of the Constituent Assembly – while the Constituent Assembly sitting as the Federal Legislature – is summoned and prorogued by the Governor General – The Governor General's power of dissolution of Federal Legislature is withdrawn because the dissolution of the Federal Legislature will mean dissolution of the Constituent Assembly, which is not permissible under the provisions of the Independence Act'.

The language employed in the Proclamation is somewhat extra-ordinary – Neither Section 5 Independence Act, nor any other provision of law has been cited in the Proclamation. It does not even say in clear and specific terms that the Constituent Assembly is " dissolved". Normally, whenever any order is passed, it indicates the provision of law under which the power is exercised – Those responsible for the draft could not think of any provision of law'.

"The (Constituent) Assembly shall not be dissolved except by a resolution assented to by at least two-thirds of the total number of members of the Assembly" – The Indian Constituent Assembly had a similar rule.

"I am unshaken in my belief that the Governor General had no power of any kind to dissolve the Constituent-Assembly".



"In view of all these reasons (set forth in the Judgment), I allow the petition. A Writ of Mandamus as prayed for will be issued against all the respondents, The appointment of respondents 4-5-7-8 and 10 being illegal, a Writ of Quo Warranto will issue against them. I further direct that the respondents do bear the petitioner's costs".

Sd/- Muhammad Bakhsh A. Menon "Judge

### **ORAL ORDER (OF COURT)**

Per Curiam: A Writ of Quo Warranto will issue against respondents 4,5,7,8, and 10 prohibiting them from exercising the office of Minister, and a Writ of Mandamus will issue restoring the petitioner to his office as President of the Constituent Assembly by restraining respondents from interfering with his duties and obstructing him in the exercise of his functions.

The opponents will bear the cost of the petitioner of this petition".

9th February, 1955

Sd/- G.B. Constantine, Chief Judge  
W.B.L. Vella, Judge  
Mahomud Bachal, Judge  
Mahomed Bakhsh, Judge

**APPENDIX II**  
**IN THE FEDERAL COURT OF PAKISTAN (APPELLATE JURISDICTION)**  
**CONSTITUTIONAL CIVIL APPEAL NO. I of 1955**

(On appeal from the judgment and order of the Chief Court of Sind at Karachi, dated 9 February 1955, in Writ petition No. 43 of 1954).

1. Federation of Pakistan
2. Mohammed Ali
3. Chaudhuri Muhammad Ali
4. Major-General Iskander Mirza
5. M.A.H. Ispahani
6. Dr. A. M. Malik
7. Dr. Khan Sahib
8. General Muhammad Ayub Khan
9. Ghyas-ud-din Pathan
10. Mir Ghulam Ali Talpur — — — — — Appellants

Versus

Maulvi Tamizuddin Khan, respondent.

Present:

1. Muhammad Munir, C.J.
2. A.S.M. Akram
3. A.R. Cornelius
4. Muhammad Sharif
5. S.A. Rahman, JJ.

**JUDGMENTS (Excerpts)**

1. MUNIR, CJ:

"The Governor General of Pakistan is appointed by the King or Queen and represents him or her—the authority of the representative—extends to the exercise of the royal prerogative—even without express delegation—Mr. Mahmud Ali's contention that in Pakistan the Governor General does not exercise any of the prerogatives of the King is clearly wrong, because here, even under the adapted Act of 1935, the Governor General appoints Governors—And assent to all legislation under the adapted act of 1935 is given in His Majesty's name. I do not see how Mr. Mahmud Ali finds it possible to assert that in Pakistan the royal prerogative is not exercised by the Governor General."

"I am conscious that in thus interpreting the Constitution. I am going against a layman's idea of an 'independent dominion', the implications of which were not fully understood—But I am quite clear in my conscience what the duty of a Judge in such cases is. That duty is rightly to expound the law in complete indifference to any popular reaction."

'All that remains to notice now is the judgment of the Sind Chief Court. That judgment which was delivered after nineteen days of argument and twenty-five days of deliberation, is a disappointing document.

There is not one word, even a remote reference to the basic question—Whether it is a wise exercise of discretion for the judiciary to re-install in power a deposed government by issuing enforceable writs against a de facto government'.

"I hold that the Constituent Assembly — acts as the legislature of the Dominion, that—the assent of the Governor General is necessary to all legislation; that Section 223A of the Government of India Act under which the Chief Court of Sind assumed jurisdiction to issue the writs did not receive such assent, it is not yet law, and that, therefore, that Court had no jurisdiction to issue the writs. In view of this conclusion we cannot go into the other issues in the case whatever their general importance may be. I would, therefore, accept the appeal, set aside the judgment of the Chief Court of Sind, and recall both the writs. Parties will bear their own costs throughout".

2. *AKRAM, J.:*

'I agree in the order allowing the appeal'

"The Governor General has full power to give assent to any kind of law proposed by the Legislature of the Dominion (equated with the Constituent Assembly)—As a result the assent of the Governor General becomes necessary for the validity of even constitutional laws—I am of the view that—the assent of the Governor General is necessary before any constitutional measure—can pass into law'.

3. *CORNELIUS, J.:*

— I should commence with an expression of my sincere regret at being unable to agree—(with) my Lord the Chief Justice and my learned brothers—In the given circumstances, there is nothing in the law which makes the grant of assent by the Governor General to acts of the Constituent Assembly—a sine qua non—

'In this Court the decision has been confined to the single question of necessity for the Governor General's assent'— Mr. Diplock (Q.C. appearing for the petitioner) argued at length that a power of dissolution of the Constituent Assembly—could be found in Section 5 of the Indian Independence Act—The force of this argument was materially

impeded by two powerful considerations, viz. that in the case of every other Dominion—the power of dissolution was vested in the Governor or Governor General by express provision in the Constitution, and secondly, by the circumstances that a power of dissolution of the Federal Legislature, which was contained in Section 32 of the Government of India Act 1935, was deliberately taken away in the course of adapting the Government of India Act to the (new) conditions'.

'Mr. Diplock (further) argued that the Governor General of Pakistan is the virtual head of the State, and has not only the power but also the duty to act, in face of any great national disaster threatening the country, in such a way as to avert that disaster. His (such) action would be above the law, and consequently, not justifiable, I found it impossible, however, to accede to Mr. Diplock's further claim that if in such a threatening situation, the Governor General should fail to act, the British Sovereign—would have the power to intervene and to take action for the safety and security of the country—Such a possibility has never—(existed) and it is easy to imagine that any such action by the British Sovereign would be beset by practical difficulties'.

'On the point of assent, as a requisite derivable from the considerations (a) that the country possessed Dominion Status and (b) that it owed allegiance to the King, Mr. Chandrigar argued that Pakistan and India were constituted not as mere Dominions, but as 'Independent Dominions', and the difference was very strong and very material. Each of these new Dominions was provided, at its very birth, with an apparatus, namely the Constituent Assembly composed of elected representatives of the people for equipping itself with a Constitution of its own choice, even one which could take it out of the oversight of the British Sovereign altogether. No other case of the same kind was known in the history of development of the British Commonwealth. It was, he urged, in consequence of this enormous difference that a great change was brought about in the oath which the Governors-General of Pakistan are required to take upon assuming office. The previous oath was one to be faithful and bear true allegiance of His Majesty the King, etc. but from the very inception of Pakistan the oath has been to bear true allegiance to the Constitution of Pakistan, and to be faithful to His Majesty the King, etc. Allegiance to a Constitution, which, although effective to create a Dominion, could have been changed by the Constituent Assembly at any time, could not be construed as acceptance by the Governor General of the King as liege-lord, or to constitute the Governor General as the liege-man of the King. Between allegiance and faithfulness, as forms of human relationship, there was a vast difference—(The British Sovereign is no longer) Queen of Pakistan, but only Head of the Commonwealth.

The materiality of the difference appears from the fact that the other Independent Dominion' namely India, became by virtue of a Constitution passed by the Constituent Assembly of that country, which was set up in precisely the same circumstances, a Republic. That Constitution did not receive the assent of the then Governor General, and in India also the practice throughout was that Constitutional Acts of the

Constituent Assembly were sufficiently passed into law by authentication of the President, and assent of the Governor General was never obtained.

Next Mr. Chundrigar put forward the argument that assent is a form of control over legislation,—and that in relation to the preparation of new Constitutions for the two countries, it was impossible to suppose that any control, was intended to be imposed;—it was repeatedly stated that the Constitution would be settled by Indians for Indians—The British Parliament—could not concern itself with the imposition of control of any kind, whether exercisable from the United Kingdom, or from within the new Dominion of Pakistan— Section 6 (3) of the Independence Act was to be construed as a provision which, broke down with one stroke all pre- existing restraints imposed from the United Kingdom—To suppose that Section 6(3) had the effect of making assent sine qua non was impossible, since that would be to fetter the powers of the Constituent Assembly.

It was next urged that the Indian Independence Act did not purport to set up a Legislature—of the Dominion' a sharp contrast with every other law—creating Dominions. No body of persons was specified which would constitute the "Legislature of the Dominion'. The expression was indeed used in the completely abstract sense.

On the other hand, the Constituent Assembly was referred to throughout as a specific body;—in Section 8 Indian Independence Act, which has reference to the exercise of legislative powers of the Dominion, the Constituent Assembly is mentioned, three times, and each time as a distinct body, differentiated from the Legislature of the Dominion'— In fact the Constituent Assembly could not conceivably be indentified with the 'Legislature of the Dominion' for the simple reason that the Constituent Assembly was to be the parent and creator of the Legislature of the Dominion', whose shape and form the British Parliament could not presume to set, having once declared that this function was to be performed by the Constituent assembly of Pakistan free of all control— The correct position is that the Constituent Assembly was not the 'Legislature of the Dominion', whether it was exercising Constitution-making powers or the powers of the Federal Legislature— The addition of Section 223A to the Government of India Act had been made by the Constituent Assembly upon motion of the then Law Minister Mr. A.K. Brohi;—being a highly important subject of great public interest, the jurisdiction of the High Court, it must be presumed to have been put forward after due consideration by the Federal Government. It did not lie in the mouth of that government now to repudiate this provision.

One cannot fail to observe that the formal order made by the British Sovereign in relation to the Pakistan Governor General contains no instructions or prohibition at all. He is merely enjoined to perform his duties under the interim Constitution— The Governor General owes nothing to the British Sovereign except his warrant of appointment, issued upon the recommendation of the Government of Pakistan— The

Governor General's duty, or as it might be termed 'allegiance' is to the Constitution, as in existence from time to time.

It was stated—that the Constituent Assembly derives power to make laws for the Dominion from Section 6(1), but with respect, it seems to me that the interpretation overlooks the fact that the Constituent Assembly was, as a body, not a creation of the British Parliament. It is, in my opinion, to be regarded as a body created by a supra-legal power to discharge the supralegal function of preparing a Constitution for Pakistan. Its powers in this respect belonged to itself inherently, by virtue of its being a body representative of the will of the people in relation to their future mode of Government . . . In marked contrast with the Constitutions of other Dominion, which have been enacted by the same British Parliament, the Indian Independence Act refrains from constituting any 'Legislature of the Dominion'.

I place the Constituent assembly above the Governor General, the Chief Executive of the State, for two reasons; firstly, the Constituent Assembly was a sovereign body, and secondly, because the statutes under and in accordance with which the Governor General was required to function were within the competence of the Constituent Assembly to amend.

All the three "Limbs of Administration: Organs of Government, viz. Legislature (Constituent Assembly ), Executive, and Judiciary, have worked, since 1947, on the clear understanding that Constitutional laws did not require the assent of the Governor General. Since I march 1955, the Federal Court has decided that it is not bound by its previous decisions.

I consider that there can be no possible doubt that neither the British Sovereign nor the Governor General as such was a part of the Constituent Assembly.

On the most careful consideration of the matter— I cannot find that there is anything in Section 6 (3), Indian Independence Act, or in the status of Pakistan as a Dominion which creates the obligation that all laws made by the Constituent Assembly, of a Constitutional nature, require the assent of the Governor General, for their validity and operation. On this view, the appeal would appear not to be concluded, but as My Lord the Chief Justice and my brothers are of the contrary opinion, and as on the basis of that opinion, the appeal is indeed entitled to succeed, the result must be that the appeal be allowed, and the writ petition of Mr. Tamizuddin Khan being dismissed, the writs should be recalled. On the question of costs, I agree that in the circumstances of the case, each party should bear its own costs.

4. *MUHAMMAD SHARIF, J.:*

I agree with my Lord the Chief Justice.

5. S.S. RAHMAN, J.:

I find myself in respectful agreement with the reasoning of my Lord and the conclusions reached by him on that point.

**APPENDIX III**  
**FEDERAL COURT OF PAKISTAN REPORT ON THE SPECIAL REFERENCE**  
**MADE BY HIS EXCELLENCY THE GOVERNOR-GENERAL OF PAKISTAN**

**In the Federal Court of Pakistan**  
**(Advisory Jurisdiction)**

**SPECIAL REFERENCE NO. 1 OF 1955**

(Reference by His Excellency the governor-General under section 213 of the Government of India Act, 1935)

Present:

The Hon'ble Mr. Justice Muhammad Munir, C.J.,  
The Hon'ble Mr. Justice A. S. M. Akram,  
The Hon'ble Mr. Justice Muhammad Sharif,  
The Hon'ble Mr. Justice S. A. Rahman.

*For the Governor-General of Pakistan*

Mr. Faiyaz Ali, Advocate-General of Pakistan,  
Mr. Kenneth Diplock, Q.C. (Mr. R.L. McEwen, Bar-at-Law, with them) instructed  
by Mr. Iftikharuddin Ahmad, Attorney.

*Under O. XLV, rule*

*1, Federal Court Rules, 1950.*

1. Mr. A. R. Changez, Advocate-General of the Punjab, instructed by Mr. Ijaz Ali, Attorney. 2. Mr. Sikandar Beg S. Mirza, Advocate-General of Sind. 3. Mr. Muhammad Ali, Advocate-General of North-West Frontier Province, instructed by Mr. Iftikharuddin Ahmad, Attorney.

*For Maulvi Tamizuddin Khan*

Mr. D. N. Pritt, Q.C., Mr. I. I. Chundrigar, Senior Advocate, Federal Court, (Messrs, Sharifuddin Pirzada, Advocate, Federal Court, Manzar-e-Alam, Advocate, Federal Court, and M. Nasim, Advocate, Chief Court of Sind under O. IV, rule 7, Federal Court Rules, 1950, with them), instructed by Mr. M. Siddiq, Attorney.



*For the United Front Parliamentary Party of East Bengal Legislative Assembly represented by its leader Mr. A.K Fazlul Haq Congress Party and Scheduled Castes Federation.*

Mr. Hamidul Haq Choudhry, Senior Advocate Federal Court, (Mr. Abu Muhammad Abdullah, Advocate Federal Court, with and him,) instructed by Mr. M. Siddiq, Attorney.

*Dates of hearing*

April 25, 27, 28, 29 and May 2, 3, 4, 5, 6, 9 and 10, 1955.

### OPINION OF THE COURT

*Question No. 1-*

What are the powers and responsibilities of the Governor-General in respect of the Government of the country before the new Constituent Convention passes the necessary legislation?

*Answer-*

That this question is too general and need not be answered.

*Question No. 2-*

The Federal Court having held in *Usif Patel's* case that the laws listed in the Schedule to the Emergency Powers Ordinance could not be validated under section 42 of the Government of India Act, 1935, nor retrospective effect given to them, and no legislature competent to validate such laws being in existence, is there any provision in the Constitution or any rule of law applicable to the situation by which the Governor-General can by order or otherwise declare that all orders made, decisions taken, and other acts done under those laws shall be valid and enforceable and those laws which cannot without danger to the State be removed from the existing legal system shall be treated as part of the law of the land until the question of their validation is determined by the new constituent Convention?

*Answer-*

That in the situation presented by the Reference the Governor-General has during the interim period the power under the common law of civil or state necessity of retrospectively validating the laws listed in the Schedule to the Emergency Powers Ordinance, 1955, and all those laws, until the question of their validation is decided upon by the Constituent Assembly are during the aforesaid period valid and enforceable in the same way as if they had been valid from the date on which they purported to come into force.

*Question No. 3-*

Whether the Constituent Assembly was rightly dissolved by the Governor-General.

*Answer-*

That on the facts stated in the Reference, namely, (1) that the Constituent Assembly, though it functioned for more than 7 years, was unable to carry out the duty to frame a constitution for Pakistan to replace the transitional constitution provided by the Indian Independence Act, 1947; (2) that in view of the repeated representations from and resolutions passed by representative bodies throughout the country the Constituent Assembly, in the opinion of the Governor-General, became in course of time wholly unrepresentative of the people of Pakistan and ceased to be responsible to them; (3) that for all practical purposes the Constituent Assembly assumed the form of a perpetual Legislature; and (4) that throughout the period of its existence the Constituent Assembly asserted that the provisions made by it for the constitution of the Dominion under subsection (1) of section 8 of the Indian Independence Act were valid laws without the consent of the Governor-General, the Governor-General had under section 5 of the Indian Independence Act, legal authority to dissolve the Constituent Assembly.

*Question No. 4*

Whether the Constituent Convention proposed to be set up by the Governor-General, is competent to exercise the powers conferred by subsection (1) of section 8 of the Indian Independence Act, 1947, on the Constituent Assembly?

*Answer-*

That subject to this:

- (1) that the correct name of the Constituent Convention is Constituent Assembly;
- (2) that the Governor-General's right to dissolve the Assembly can only be derived from the Indian Independence Act;
- (3) that the arrangements for representation of States and Tribal Areas can, under the proviso to subsection (3) of section 19 of the Indian Independence Act, be made only by the Constituent Assembly and not by the Governor-General; and
- (4) that the Governor-General's duty being to bring into existence a representative legislative institution he can only nominate the electorate and not members to the Constituent Assembly. the new Assembly, constituted under the Constituent Convention Order, 1955, as amended to date, would be competent to exercise all the powers conferred by the Indian Independence Act, 1947, on the Constituent Assembly including those under section 8 of that Act

Mr. Pritt, as amicus curiae will get from Government a sum of Rs. 10,000 as costs for representing Mr. Tamizuddin Khan's case.

LAHORE  
May 16, 1955

M. MUNIR C. J.  
A. S. M. AKRAM J.  
A. R. CORNELIUS J.  
MOID. SHARIF J.  
S. A. RAHMAN J.

**APPENDIX IV  
LETTERS**

*Letter No 1*

2 Clifton Road,  
Karachi June 21, 1951.

My dear Prime Minister,

As suggested by you, I wrote to H.E. Sardar Abdur Rab Khan Nishtar about Holding meeting of the Basic Principles Sub-Committee at Karachi. I have since received his reply. He says "If you approve, you may direct the Secretary of the Constituent Assembly to inform all the members that the meeting will be held at Karachi and not at Nathiagali on the appointed date and hour. I have asked the Secretary to inform the members accordingly and I have also written to His Excellency about it. I have also told him in my letter to him that you will most likely avail yourself of this opportunity to hold necessary consultations on the long deferred question of the kind of electorate we should have. I hope you will be able to make time to hold such consultations on the occasion.

I shall be leaving for East Bengal On the 25th instant and shall be due back to Karachi on the 17th July next. If you hold the consultations on any date after the 17th, I shall be in a position to attend in case you consider my presence necessary.

Yours sincerely,  
Sd/Tamizuddin Khan

The Hon'ble Mr. Liaquat Ali Khan,  
Prime Minister's House,  
Karachi.

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*Letter No 2*

3, Bath Island,  
Karachi, June 6, 1952

My dear Prime Minister,

I am writing to you about an important matter in connection with the drafting of the Constitution.

While considering the question of allocation of revenues between the Centre and the Federating Units, the Basic Principles Committee decided quite a long time ago that Mr. Zahid Hussain should be requested to go into the matter and submit recommendations. There was considerable delay in settling certain questions raised by Mr. Zahid Hussain and before he could undertake the work, Sir Jeremy Raisman was appointed to examine the question. The latter's report, I think, has been accepted by the Governments concerned as an award. It is now for consideration whether in view of this award any further examination of the question is necessary. Probably such examination may not be necessary unless there is a re-distribution of subjects between the Centre and the Units. All the same, it seems desirable that the question should be closely considered by the Finance Ministry so that their views may be available when the matter comes up before the next session of the Basic Principles Committee to be held in August next.

In this connection I am sending herewith a copy of the rough draft that has been prepared by the Chief Draftsman with a view to its incorporation in the Constitution. The draft has been prepared keeping in view the Raisman Award as well as the relevant provisions of the Indian Constitution and the Government of India Act. I hope you will kindly have the entire question and the provisions of the draft examined by the Finance Ministry and let me know the result of such examination in due course.

Yours sincerely  
Sd/Tamizuddin Khan

Hon'ble Al-haj Khawaja Nazimuddin,  
Prime Minister of Pakistan,  
Karachi

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*Letter No 3*

3, Bath Island, Karachi,  
September 18, 1952.

My dear Prime Minister,

kindly refer to the discussions at the informal meeting held yesterday afternoon at your residence. As desired by you on that occasion I am inviting your attention to the fact that early steps are necessary to be taken with regard to the following matters:-

(1) Securing the services of Sir Jeremy Raisman to recommend suitable financial allocation between the Centre and the Units under the new Constitution.

(2) A special committee under your chairmanship was set up by the Basic Principles Committee at its last session to report on all matters relating to Baluchistan, the States and the Tribal Areas in so far as the framing of the Constitution is concerned. Very early decision on these matters is necessary. It was suggested at yesterday's meeting that a

preliminary meeting of the Special Committee should be convene as early as possible for clarification of ideas as to work ahead I would suggest that you may kindly send the Secretary of the Constituent Assembly and ask him call a meeting of the Committee on a suitable date. Mr. Hassan Mohd. Khan is at present in charge of the current duties of the Secretary who has gone to America

Yours sincerely,  
Sd/Tamizuddin Khan

The Hon'ble Al-Haj Khawaja Nazimuddin.

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*Letter No 4*

3, bath Island, Karachi,  
November 22, 1952.

My dear Prime minister,

You are fully aware of the attempts that are being made to find a truly qualified person for appointment as Chief Draftsman in place of Sir Robert Drayton who is soon relinquishing his office. As you are now going to London and will be there for a few weeks I would request you to kindly do all you can to arrange for the appointment of a suitable person from the U.K.

I hope that in spite of your multifarious engagements in London it will be possible for you to do something in this respect.

Copies of the correspondence that has hitherto taken place in this regard with our High Commissioner in the U. K. will be found in the file that is being sent to you along with this letter.

With kindest regards,

Yours sincerely,  
Sd/Tamizuddin Khan

The Hon'ble Al-Haj Khawaja Nazimuddin,  
Prime Minister of Pakistan,  
Karachi.