

PANDIT NILAKANTHA DAS

A NATIONAL LEGISLATOR

(PANDIT NILAKANTHA MEMORIAL EXTENSION LECTURES

By

Dr. Pratap Chandra Chunder

M. A., LL.B., D. Phil. (Calcutta)

D. Lit. (Agra and Jabalpur) h. c.,

D. Sc. (Roorkee) h. c., F. A. S.

ON

September 9 and 10 1985

AT

UTKAL UNIVERSITY

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LECTURE I

I thank the Vice-Chancellor and other authorities of the Utkal University for inviting me to deliver Pandit Nilakantha Memorial Extension Lectures this year. I commend Pandit Nilakantha Smruti Samity of Bhubaneswar whose devoted efforts have made the organization of these lectures possible. This noble son of Orissa was a respected citizen of India, who ceaselessly strove to make India free and, upon attainment of this precious objective, worked for the advancement of our country towards a richer and better life in all spheres. His special link with the Utkal University is wellknown to you all, as he was an architect of this University and its Pro-Chancellor. In recognition of his services the University honoured him with the degree of the Doctor of Literature *honoris causa*, an honour he eminently deserved.

Pandit Nilakantha's personality was many-splendoured and multifaceted. He was a poet and patriot, worker and educator, journalist and legislator. It was in his last-mentioned capacity that I personally knew him since my childhood. He was my father's friend. He and my father, Nirmal Chunder, had many things in common. Both since their youth were fired by patriotic zeal; both resolved not to accept the Government service; both joined independent profession—one a teacher, the other a lawyer; both participated in the non-cooperation movement in 1921 and gave up their professions; both, as Congressmen, joined the Swaraj Party led by Deshabandhu Chittaranjan Das and Motilal Nehru; both were elected on its behalf to the Central Legislative Assembly, where they worked together for several years; both give unstinted support to Netaji Subhas chandra. In their personal love for Indian culture, both established a common bond; while Pandit Nilakantha was a creative poet, my father was a patron of literature and culture, it is, therefore, easy to understand that they should have friendly attachment for each other. I remember many a time I had seen Pandit Nilakantha at our house in Calcutta, when his saintly demeanour impressed me as a child. He could fluently converse with me in Bengali in a manner as if he was a member of our family. He occasionally joined my father's parlour or Baithak-

khanna, where eminent persons such as Sarat Chandra Chatterjee the novelist, Sisir Kumar Bhaduri, the actor and Sarat Chandra Pandit, the humorist, would frequent. Irrespective of ages, we all would enjoy the happy adda—a unique institution, which is, to our dismay, vanishing, and amidst pleasant talks over the hookah, betel and tea, the elders would forget the stress and strain of life—a happy spirit which we children also shared. Over the sharing of food at night or in day time in the presence of my old grandmother, there were uninhibited friendly feeling, jokes and mirth, a pleasant atmosphere which unfortunately is passing away. There were similar get-togethers at my father's temporary home in New Delhi and Simla where he would go to attend the sessions of the Central Legislative Assembly. Some time I accompanied him. On many occasions I saw Pandit Nilakantha attending the party. Some times he and my father discussed politics with gusto, agreed and disagreed with each other, but their personal relations stood sweet as ever. It was nice to find these respected adults cutting jokes at each other with great relish, but no bitterness. I could notice even then that Pandit Nilakantha was more conservative in outlook but more active in legislative work than my father. Their personal friendship can be gauged by an information furnished by Pandit Nilakantha in his autobiography. He mentions how he suffered from renal (oxalate) colic and allopathic treatment was not effective. My father also had suffered from the same disease, when the celebrated doctor, Sir Nilratan Sircar, had prescribed for him an Indian medicinal herb 'Kulathā Kalai'. Pandit Nilakantha tried the same remedy and was cured. (p. 177).

It is nice to remember those pleasant moments of two colourful personalities of Orissa and Bengal together. I am, therefore, delighted to tell you some thing about Pandit Nilakantha as a national legislator, in which capacity I had personally known him.

I should now inform you that apart from personal reminiscences much of my information is derived from a study of the proceedings of the Central Legislative Assembly which were made available to me at the library of the West Bengal Legislative Assembly through the courtesy of my former student, Janāb Hashim Abdul Halim, the Speaker. Of course I have consulted Pandit Nilakantha's autobiography, the Indian Annual Register (that wonderful source book) and other authoritative works. Pandit Nilakantha had long innings in the Central Legislative Assembly, where he was elected 4 times, in 1924, 1927 and 1935, apart

from a short term in 1930. My father was with him on the last two occasions. Earlier my father was elected to the Bengal Legislative Council.

After this introduction I propose to confine my first lecture to the period from 1924 to 1930 and the second, 1935 to 1945. But before I go into some details, it is necessary for me to tell you something about the nature, powers and functions of the Central Legislature of those days. That august body was definitely not like the Sovereign Parliament of independent India. The franchise was also much restricted by property, taxpaying and educational qualifications. Sri Justice M. Rama Jois in his *Legal and Constitutional History of India* (1984) summarises the then voter's qualifications thus :

"For election to the Legislative Assembly a person, to be a voter, should have been paying Municipal taxes not less than 15 rupees per annum, or should own a house, the rental value of which was Rs. 180/-, or assessment to Income tax on an annual income of not less than Rs. 2000/-, assessment of land revenue of Rs. 50/- and above" (Vol. II, p. 285).

For the Council of State, the voter's qualifications were more stringent. The result was, as the Hon'ble Judge informs us, 'The total number of votes prepared on the above criteria was about 17,36,44 for the Council of States and 90,98,74 for the Central Assembly in 1920. Again, the seats and votes were arranged on communal lines. The position was not much different in 1924, 1927 and 1935, when Pandit Nilkantha was elected to the Central Legislative Assembly. Keith informs us that in 1934 the electorate was 1,41,58,92 of which 81,602 were women. Then the total number of voters in British India was about a million and a half (p-261) but now for each Parliamentary Constituency in independent India the number of voters almost reach half of that figure. The restricted franchise no doubt had both some advantages and disadvantages for the candidate for election

Whereas it was easier to reach a limited number of voters than now, it was somewhat more difficult to satisfy the fastidious and discerning propertied and educated classes. It is gratifying to note that Pandit Nilkantha succeeded in doing so on all the three occasions, but on the floor of the House he did not, as we shall see, stand by the vested interest, but spoke courageously for the vast mass of the down-

trodden people who had no occasion to cast their votes. The elective principle, however restricted, had been conceded partially to the Indians by the British government. But these restrictions could not satisfy Congress men and Swarajists who were agitating for more powers to the people at large.

Not only was the franchise drastically limited, the powers and functions of the Central Legislative Assembly of which 'Pandit Nilakantha was thrice a member were highly restricted. In spite of continuous political agitations, the British rulers of India were with great reluctance handing over political power to their Indian subjects by dribbles. I need not elaborate the constitutional history of India till the time when Pandit Nilakantha was elected to the Assembly. It is sufficient to remind you that during world War I to meet the Indian demand for Home Rule or the Dominion Status the British Parliament went part of the way by enacting the Government of India Act 1915 (5 & 6 Geo 5 Ch. 61), which was amended in 1916 and in 1919. This Act in its Preamble sets out the avowed policies of the British Government inter alia thus :

“ . . . whereas it is the declared policy of Parliament to provide for the increasing association of Indians in every branch of Indian administration, and for the gradual development of self-governing institutions with a view to the progressive relation of responsible government in British India as an integral part of the empire

“And whereas concurrently with the gradual development of self-governing institutions in the provinces of India it is expedient to give to those provinces in provincial matters, the largest measures of independence of the Government of India, which is compatible with the due discharge by the latter of its own responsibilities.”

The Act inter alia provided for Home Department, Governor-General in Council, Local Government and Indian Legislature. At the centre the Indian legislature consisted of the Governor-General and two chambers, viz, the Council of States and the Legislative Assembly. The Council of States consisted for sixty members, some nominated and some elected on highly restricted franchise. The first Assembly had one hundred and forty three members only, of which one hundred three were elected and out of forty nominated members, twenty five were to be non-officials of the elected members, 51 were returned from General Constituencies, 30 for Muslim Constituencies, 2 represen-

ted the Sikhs, 7 Landowners, 9 Europeans and 4 Indian Commerce. (Keith, A Constitutional History of India, P. 260). These numbers could be varied by rules. Yet there was one advantage, that is to say, the elected members, if they could combine, could defeat the government proposals but the responsible government was a far cry. In spite of defeats, the Government at the Centre would not fall, but could be held up to ridicule before the public. Not more than that. In 1927, for instance, the Central Government was defeated in the Legislative Assembly sixteen times out of thirtyfive, but the Government continued uninterruptedly. (The Indian Annual Register 1927, Vol II. p. 210)

The Indian Legislature was, however, given wide powers to make laws subject to important restrictions, as provided in Section 65 and other sections of the Government of India Act 1919. In brief, subject to such restrictions it could make laws inter alia for all persons, all courts, all places and things, within British India, for all subjects of His Majesty and servants of the Crown within other parts of India and for all native Indian subjects of His Majesty, without and beyond as well as within British India. But the Indian Legislature could not ordinarily make any law repealing or affecting any Act of Parliament passed after 1860, the Army or the Air Force Act. It could not also make any law affecting the authority of Parliament or any part of the unwritten laws or Constitution of the United Kingdom affecting the sovereignty or dominion of the crown over any part of British India.

If the legislatures failed to pass a legislation in the form recommended by the Governor-General, he could certify that the Bill was essential for the safety, tranquillity or interest of British India or its part. In that case the Bill became law if already accepted by one of the houses, or on being accepted by the house which had not then considered it. Even if this failed, it would be law on his signature. Of course, such an Act had to be laid before the British Parliament before the Crown's assent. In emergency the Governor-General could give it immediate effect.

Keith sums up the constitutional position under 1919 Act thus, "The powers of the legislature were thus largely expanded through the representative character of the Assembly, and it was made a more effective means of criticizing and holding the Government within lines of action approved by the Indian feeling. The executive, however, remained wholly free from direct authority of the legislature, and the changes made in it were simply intended to strengthen it in order to secure greater efficiency, all the more necessary with a legislature so strengthened?" (op cit., p. 263)

The provinces were of two types, the Governors' and the Lieutenant Governors'. In the former there was one legislative chamber the Council whereas in the latter the executive council together with nominated or elected members made the Law, but in some provinces the Lieutenant Governor had no executive council but a legislative body for the purpose of law-making.

In the major provinces form of dyarchy was imposed. It divided the government functions in two parts, one relating to the reserved subjects to be administered by the Governor with the help of the Executive Council, the other comprising transferred subjects to be dealt with by him with the assistance of the ministers. The Governor General in Council could transfer a 'transferred subjects' to the 'reserved' category with the previous sanction of the Secretary of State.

Similarly central and provincial subjects were determined by rules. The ministers could be appointed or dismissed by the Governor. They could also be removed by a vote of no-confidence in the legislature. They thus had to serve two masters.

The Government of India Act 1919 based largely on the Montague—Chalmersford report, failed to satisfy the nationalist aspirations which were also fanned by the turmoils in Ireland and the Russian Revolution. The Amritsar Congress sharply criticised the Act and demanded a full responsible Government. The Moderates soon left the Congress in protest against Mahatma Gandhi's civil disobedience campaign. The British imposed repressive measures. The notorious Jalianwalla Bagh massacres forced the congressmen into direct confrontation with the Government. At a special session of the Congress, on September 15, 1920 Gandhiji moved the non-cooperation resolution, which included the boycott of the British courts, educational institutions and foreign goods. As to the Legislative Councils the resolution demanded withdrawal by candidates of their candidature for election to the reformed Councils and refusal on the part of the voters to vote for any candidate who may, despite the Congress advice, offer himself for election. Speaking on the Resolution, Gandhiji said.

"I now come to the burning topic, viz, the boycott of the councils. Sharpest difference of opinion existed regarding this, and if the house has to divide on it, it must divide. If it must divide you will consider that it must divide on one issue viz., whether Swarajya has to be gained through the councils or without the councils. If we know that they are

utterly unrepentant, how can you believe that the councils will lead to Swarajya and not tighten the British hold on India ?" (Young India 1919-1922, Mahatma Gandhi, Madras, 1922, p. 274)

Gandhiji won the day. The Non-co-operation was further supported by the Nagpur Congress Session in December 1920. Utkalmant Gopabandhu Das and other leaders of Orissa joined the Nagpur session. They jumped into the new movement of non-cooperation.

Already H. K. Mahlab, N. K. Chowdhury, N. Karungo, Phagratht Mohapatra and other young leaders were keen after the Congress organisational work in Orissa. Pandit Nilakantha Das joined Gopabandhu. In 1921 Gandhiji's tour in Orissa accelerated the movement. He visited the Satyavadi School and Pandit Nilakantha had discussion with him. The British Government responded with reckless repression. Top Orissa leaders including Pandit Nilakantha were clapped into jail. National Schools and Swaraj Ashrams generated mass consciousness. The Congress was reorganised on linguistic basis and Utkal Congress became an important force among the peoples of the region.

Although elections for the reformed Councils were held in 1920 and they met from early 1921, the non-co-operators stole the political limelight. In December 1921 at the Ahmedabad Congress, C. R. Das's presidential address was read by Gandhiji as the president of the session was behind the bars. C. R. Das stoutly defended the non-co-operation and strongly criticised the Moutague-Chemsford reforms. But soon peaceful movement was marred by sporadic violence and in 1922 violent outburst and Charri-chaura in the United Provinces compelled Gandhiji to call off the movement and turn to his constructive programme. C. R. Das, Motilal Nehru and many others were critical of Gandhiji's move. A censure motion against Gandhiji was defeated but the Swaraj Party sponsored by Congress leaders such as C. R. Das, Motilal Nehru, M. R. Jayakar and Vitalbhai Patel was born in the second half of 1922, C. R. Das issued a public statement about the new strategy and programme of the Council entry

"The Reformed Councils are really a mask which the bureaucracy has put on. I conceive it to be our clear duty to tear this mask from off their face. To end these Councils is the only effective boycott. A question has been asked as to whether it is possible. I think it is possible if

non-co-operators get the majority, and I believe that having regard to the present circumstances of the country they are likely to get the majority. The question is also, supposing we are in a majority, what are we to do? We should begin our operations by a formal demand of the particular way in which we desire to mend the councils. If our demands are accepted we have obtained a real foundation of Swaraj. If our demand is not recognised we must non-co-operate with the bureaucracy by obstructing everything, every work of the council. We must disallow the entire budget. We must move the adjournment of the House on every possible occasion. In fact we must so proceed that the Council will refuse to do any work until our demands are satisfied." (Gordon, Bengal, The Nationalist Movement)

In commenting on the strategy of C. R. Das, Gordon states, "He tried to convince those who had supported Gandhi's non-cooperation programme that the Swarajist like simply extended the strategy of Non-cooperation. But Gandhi and his more devoted supporters viewed the Swarajist strategy as opposed to their Non-cooperation and constructive programmes and suspected that possible cooperators wore the Swarajist mask" (op-cit., p. 190).

But G. R. Das, though the President of the Congress in 1922-23, failed to carry the majority of Congress men with him and resigned. The anti-council entry resolution piloted by C. Rajagopalachari was carried by 203 to 87 votes. The Swaraj party was founded on December 31, 1922. In January 1923, its manifesto was signed. C. R. Das became the president of All India Swaraj Party. He worked closely with Pandit Motilal Nehru, who was, as Gordon says, "Virtually his co-president". (op. cit., p. 191) Its Crissin branch was formed in that year by Godavarish Misra and Bhubanananda Das (H.C.O. 265). The Gandhians came to be known as no changers and the Swarajisty-pre-changers.

In his auto-biography Pandit Nilakantha tells us that after discussion with Gopabandhu Das, his friend, philosopher and guide, in the Hazaribagh Jail in 1923, Pandit Das decided to join the Swaraj Party. My father, a close lieutenant of C. R. Das, followed suit. He was treasurer of the Bengal Provincial Congress Committee from 1921 to 1925. He had already donated a princely sum of Rs. 50,000/- to the Tilak Swaraj Fund a fact which was corroborated by C. R. Das in the advertisement published in the daily paper 'Basumati' on November 14, 1923 to silence my father's critics.

After Gandhiji was released from jail in 1924 he sought for a compromise with the Swarajists, but his efforts failed. The prominent members of the Swaraj Party were duly elected to the Provincial Legislative Councils and the Central Legislative Assembly. Pandit Nilakantha Das was returned to the Central Legislative Assembly from Orissa Division non-Mohammedan constituency of Bihar and Crissa. It comprised Puri, Cuttack, Gambalpur and Baleswar districts of Orissa Division (Auto-biography, p, 178-179). He took his oath on January 30, 1924. He was then about 40 years of age, a mature politician. Thus began his first term in the Central Legislature. He was elected one of the Secretaries of the Swaraj Party in the Assembly. Pandit Motilal Nehru was the leader of the Party. Meanwhile, Gandhiji wanted to fight back. He declared that "the executive organisation of the Congress must not contain titled persons, Government school masters, practising lawyers and members of legislative bodies and persons who use foreign cloth. Such persons can become Congressmen but cannot and should not become members of the executive organisation." A resolution to this effect was brought before the AICC meeting in 1924. Motilal Nehru wanted the deletion of the penal clause, but having failed to convince the meeting, left with his supporters. Still when the votes were taken 37 members supported the deletion of penalty clause against 67. Gandhiji prudently withdrew the penalty clause in view of large opposition. Again, Gandhiji's resolution on Gopinath Saha condemning violence was passed by a narrow majority of 78 to 70. He felt "defeated and humbled". He considered his slender majority 'as a minority' (ibid. 200). By the end of 1924 Gandhiji and C. R. Das made a compromise known as the "Calcutta pact" under which Gandhians and Swarajists worked from the Congress organisation side by side in their own ways.

Such was the perspective in which the Swarajist legislators such as Pandit Nilakantha Das had to work. Of those elected from the province of Bihar and Orissa to the Central Assembly two from Orissa Division were very active. They were Bhubanananda Das and Pandit Nilakantha Das. They were conscious of their limited powers under the Government of India Act 1919 in the reformed legislature, but both tried to make most of such powers. They had two principal objects in view, first to strive for the unification of the Oriya-speaking tracts into one administrative area if not in one province and second to expose the hollowness of the British Indian constitutional device. Pandit Nilakantha worked whole-

heartedly for the furtherance of these objects. During his first term he began on a low key. The Central Legislative Assembly was packed by stalwarts of the British Indian Government and opposition parties. They included persons like Pandit Madan Mohan Malaviya, Pandit Motilal Nehru, Janab Wahammad Ali Jinnah, Tulsī Chandra Goswami and others. With experienced politicians such as these Pandit Nilakantha had to work in the Central Assembly. He gradually made his presence felt through regular interpellations eliciting facts and assurances from the Government benches, introduced cut-motions on government financial measures to pinpoint their shortcomings, moved amendments to the government bills to rectify their lacunae and introduced resolutions on important topics of national interest. He served on some standing committees and select committees of the Central Legislature. For a new entrant to the national legislative politics, his performance was sustained and commendable. He had no inhibition. He expressed himself fluently in English. Some times his speeches were lengthy. The president would occasionally pull him up and want him to finish soon. But he was undaunted. He spoke from his personal experience confidently and forcefully. I shall now try to give you some significant details of his performance as a national legislator. In view of the limited time at my disposal I cannot be elaborate. What I say is indicative of only a portion of his rich contribution to the legislative work at the national level. I have collected these materials from the reports of the proceedings of the Central Legislative Assembly from 1924 to 1945 with some breaks. This valuable original source deserves detailed scrutiny. Whatever little I might tell you will go to show his active participation in national politics and ceaseless effort to fight for the Indians in general and the Oriya-speaking peoples in particular.

On March 8, 1924 Pandit Nilakanth wanted to test the effectiveness of the legislature in the practical political context by putting questions whether legislative bodies had attempted in the last three years to secure release of prisoners, whether they had been able to secure better treatment for the prisoners and if so, to what extent they had been successful. The government evaded the answer by proposing to collect information. From the outset Pandit Nilakantha took up the cause of the political prisoners in the forum of the legislature. He himself was detained in jail in 1923.

On March 25, 1924 other questions on political prisoners and repressions followed from him. He asked for the number of prisoners in jail in 1920-23, including Akali and Moplah prisoners and the number of those released. Through his questions he complained against the non-availability of jail codes to the general public. He enquired about the facilities to prisoners to appeal against the decisions of jail authorities. He also wanted to know about the notorious criminal law amendment act in force. He had also a question about the action of the government against the village panchayats started by the Congress organisation. The government avoided the answer.

At the Simla session of the Assembly on September 16, 1924, he complained against the overcrowding of Railway carriages through his question, a menace which still persists even after independence. Then the third class passengers were conveyed in the cattle trucks by the Bengal Nagpur Railways. On September 22 he also enquired about the provision of waiting room for the intermediate class of passengers at Puri. In the years to come Pandit Nilakantha specialised in interpellations concerning the facilities for lower-class passengers and constantly trouble the government with his questions regarding them. We should remember that Gandhiji travelled third class and expressed constant concern for the lower class passengers.

For the poor people of Orissa, Pandit Nilakantha was a redoubtable champion. On September 22, 1924, he asked about the revival of the manufacture of salt for home consumption by the peoples of Orissa during the famine of 1919-20. It should be noted in this context that Gandhiji started the Salt Satyagraha about six years later.

Next year, Pandit Nilakanth framed his questions round the Railways administration as well as the political prisoners. Sri Bhubanananda Das also from Orissa was prolific in interpellations. Pandit Nilakantha had questions on the excess luggage charges realised from the third class passengers travelling between Howrah and Puri, the employment of the Oriyas in the Bengal Nagpur Railways and the pay of the European and the Indian guards on that administration. He did not spare the Indian Government's Stores Department when he enquired about the procedure relating to call for tenders by the Department and the strength of the clerical establishment of the office of the Chief Controller of Stores.

But his questions on the political prisoners were more forceful and effective. For instance, on January 28, 1925 he asked whether persons were arrested under the Bengal Regulation III of 1818 only based on police and C. I. D. information or they had independent source, whether the evidence was examined on judicial scrutiny, if so, by whom, or of what standing or position and whether there was any corroborating evidence. The nature of questions would indicate his searching and incisive mind. In reply, Sir Alexander Muddiman, the Home Member, had to concede, "... The evidence was not judicially scrutinised before the orders for arrest were issued. However, under the Regulation of 1818 the scrutiny was by two judges of the standing of sessions judges but section 19 governed the arrest under the Ordinance."

Pandit Nilakantha then asked whether the internees of Bengal had connection with the anarchical movements and whether the Government proposed to bring them before the Court of Law. The answer was, "I have already replied to the question" Pandit informed the House that All Parties Congress at Bombay had condemned the Bengal Criminal Law Amendment Ordinance on January 30, 1925, the House was told that due to the intimidation of witnesses and jurors in Bengal the internees could not be put on public trial.

Two legislators from the Orissa Division, Shri Bhubanananda Das and Pandit Nilakantha Das were deeply concerned about the amalgamation of the Oriya speaking tracts under one administration, if possible in a separate province. The agitation for such an amalgamation had been going on for a long time. 'Sidelights on History and Culture of Orissa' has given us a connected account of this movement. It says "As one of the major linguistic communities of the Indian subcontinent, but placed under several administrative jurisdictions, the Oriya people suffered the injustice of dismemberment for nearly a century since the British conquest of Orissa in 1803. Ganjam and other Oriya-speaking areas south of the Chilka Lake remained tagged to Madras, Midnapore to Bengal, Singhbhum, Saraikella and Kharswan to Chhotanagpur Division; Sambalpur and Chhatisgarh feudatory states in the west to the Central Provinces. Thus when the British occupied Orissa in 1803, it was confined to the three coastal districts of Puri, Cuttack and Balasore" (p. 243). Outside and within the legislatures the question of amalgamation was justly agitated. In the Central Legislative Assembly the question was put earlier on January 20, 1923, when Sir Malcolm Hailey dealt with it. Shri Bhubanananda Das again put

the question on February 5, 1925, when Sir Malcom answered, "One of the most important factors was the wish of the inhabitants of the areas in question. The most important areas are not now included in Orissa in which there are large Oriya populations. These are the Ganjam district and the Agency Tracts of Madras Presidency. Governments are not satisfied as to the wishes of the inhabitants of those areas and they propose therefore to send two officers to make detailed inquiries into this question in those areas and to report the result to them." Not satisfied with the answer a few days later Pandit Nilakantha put detailed questions over the amalgamation. In reply Mr. H. Tomkinson on behalf of the Government referred him to the earlier answers but added, "The question is under consideration of the government in connection with the report of Messrs Phillips and Duff regarding the attitude of the Oriya-speaking population of the Madras Presidency towards amalgamation with the other Oriya-speaking tracts and they are not prepared to make a statement."

Pandit Nilakantha did not rest here. He moved his celebrated resolution on the amalgamation of the Oriya-speaking people in 1927 during his second term, which has become a part of Orissan history. I shall speak on this resolution later.

On March 23, 1925 Pandit Nilakantha participated in the discussion on the General Budget and reiterated his demand for the revival of the salt industry on the Orissa coast. His speech was well-constructed and full of details. He gave a brief history of the salt industry and dwelt on the economic aspect of the question. His thrust was so forceful that Mr. A. H. Lloyd, Member, Central Board of Revenue, had to reply to it. He said, "It is fall in the prices that has caused it to appear unprofitable". Pandit retorted, "to save the people the Government should take the industry on a small scale, and practically convince the people that it is utterly unprofitable..." Lloyd declined, "the Government of India, Sir, are not prepared to undertake adventure, which they are satisfied would be unprofitable solely in the interests of a limited number of producers."

In this year Pandit Nilakantha participated in two pieces of legislation, one the Hindu Religious and Charitable Trusts Bill and the Maternity Benefit Bill. In the first, in support of a motion to refer to the Select Committee (in which he was later included), he said, "Especially I belong to the Orissa Division, the whole of which is "holy

ground" full of religious shrines and endowments.....I belong to a most orthodox community and I live in a part peopled by orthodox Brahmins and highcaste men. If there was any horror and dismay on the part of the people I should not have been allowed by my constituents to support this motion which I am now doing. This declaration records his innate pride in his birth place and constant contact with his constituents. About the fruitful role of the legislature on social questions. Pandit said in this context, "They (the people) will be rather glad, for they look up to this Central Legislature to pass Act as will give some moral nerve and have some moral influence on the heads of endowments."

As to the Maternity Benefit Bill Shri N. M. Joshi (nominated labour interest) moved the motion for reference to the Select Committee. Pandit Das intervened and said, "I belong to a part of India which sends about one-fourth of the coolies who work in the Assam tea gardens, viz. Orissa I have got many neighbours, men and women, who are now working on the tea gardens or have worked for some time in their lives in those gardens. As to the treatment which are accorded to them by their employers, it has never been satisfactory..... If any legislation is to be undertaken to protect the coolie men and women it is to be enacted by this House." This extract shows his deep concern for the plantation labour.

In the last year of his first term, Pandit Nilakantha pressed for the amalgamation of the Oriya-speaking tracts once more through his question, to which Mr. Muddiman answered that the matter was under consideration. Pandit Das also questioned the bar placed by the Madras Government on the teaching of Hindi, a language which was destined to be the official language for India after independence. He expanded the horizon of his questions which touched matters beyond the boundaries of India. His many questions in this year related to the extension of Parliamentary franchise to the Indians in the Dominions and South African Unions, raising the status of the Indians in the Dominions and the reference of the Indian question in South Africa in the league of Nations under clauses 12 and 15 of the league's Covenant. He thus became a champion of the Indian rights in the Dominions and the South Africa and wanted to involve the highest international body of the day in solving the Indian question. The problems still remain live even after our Independence. The Class Areas Bill had been discussed

in the Standing Emigration Committee of both houses and the representations were made to the Union Government of South Africa. Non-resident Indians through his efforts must have felt that there was at least a legislator in the mother country who had been fighting for their cause.

In recognition of his services Pandit Das was elected to the prestigious Public Accounts Committee of the Legislature.

As regards legislation, on February 2, 1926 he spoke on the Civil Procedure Code Amendment Bill from the point of view of the common man. He said..., eminent lawyers on this side of the House have given their opinion and they generally view justice as absolute from their technical point of view, we must look to the monetary value of the justice too...It is only to save him this measure be supported."

On March 1, 1926 speaking on the Indian Tariff (Amendment) Bill, Pandit Das complained that if the Government could prevent smuggling, income would not fall. This view holds good even today.

The three years' term of the Second Assembly was over. In 1927 Pandit Nilakantha was re-elected to the Central Legislative Assembly and he took oath on January 19, 1927. My father also joined him as a member from Bengal. Earlier my father was a member of the Bengal Legislative Council. Pandit Nilakantha was elected as the Secretary of the Congress Legislature Party and also to the important Standing Finance Committee of the House and to the panel of the Standing Committee on Emigration. By now he was an experienced national legislator with fair degree of responsibility laid on him. He discharged his function creditably. This year his questions included those on the Bengal Nagpur Railways and the alleged organised conspiracy of some Mohammandans to murder Hindus. He participated intensively in the discussion on the Indian Finance Bill. This shows his broad, sensible appreciation of the nation's financial problems. He also spoke on the Indian Limitation Amendment Bill and Madras Salt (Amendment) Bill. On March 1927 he moved for reduction of the Budget demand for salt. He said, "Whenever salt comes up for discussion in this House, I rise to speak on it." He addressed the House on the Indian Tariff (Cotton Yarn) Amendment Bill in support of the cause of handloom weavers.

But his crowning glory was the resolution on the amalgamation of the Oriya-speaking tracts. His long forceful speech was well-constructed, well-documented and well-reasoned. I wish I could set out the full text of this memorable speech, but constraints of time prevents me from doing so. I set out a summary of the speech given in the Indian Annual Register, 1927, Vol I as follows :—

“Pandit Nilakantha Das said that an amalgamated one administration would be conducive to the interests of the people. He gave a short history of the agitation to bring the Oriya-speaking people under one administration and also how Orissa came to be attached first to Bengal and then to Bihar. He recalled that under the Hindu Raj and also the Moghul Rule, the Oriyas’ identity was recognised, but it was under the British Rule that their Zamindaris were sold away for paltry sums to the people in Calcutta who were absentee landlords. If Assam with practically the same population and without a High Court and without a University could be constituted into a Province, why not the Oriyas have an exclusive province? However, as long as the Oriyas were not brought under one administration, he would keep an open mind on the question of the province they should be part of. He would prefer to be part of Bengal rather than wash the fields of Bihar. But even if Government in the last resort asked them to agree to all the Oriyas being put under Bihar, they would accept it, but with a hope in the future of trying their luck for an exclusive province for the Oriyas.”

Mr. Muddiman in reply on behalf of the Government declared, “I am not alienated from the Oriya causes” and with this assurance he requested the mover to withdraw his Resolution. His purpose being thus accomplished for the time being, Pandit Das withdraw his resolution. He was elated to find the impact of his speech outside the House, for in his autobiography he narretes how “the Statesman” published an appreciative leader on the topic next day and Gopabandhu Das showed this to his colleagues with approbation, (p 172) Pandit Nilakantha also wrote an article on the linguistic provinces in the Bombay Samachar, which was circulated among the members in a Congress session. He tenaciously clung to this objective in the forum of the Indian National Congress and of the All Parties Congress too.

In his anxiety for his Oriya brothers and sisters Pandit Das did not forget the cause of the Indians abroad for he spoke on the adjournment motion regarding appointment of an adequate number of Indian representatives on the Royal Commission to consider the federation of Kenyan and other East and Central African colonies.

1928 was comparatively a lean year for him in the Central Legislative Assembly. He was included in the Select Committee on the Sarda Bill on restriction of the child marriage. On June 18, 1928 Gopabandhu Das died and the affairs of the Utkal Congress now rested mostly on Pandit Nilakantha. He returned with full vigour the next year, 1929. He had a spate of questions in the House, including those on the amalgamation of the Oriya speaking tracts, the railways, public service matters, plantation workers, and Lahore prisoners. He participated in the general discussion on the Railways budget. On February 21, 1929 he delivered a long speech on the topic in support of the railway workers and the Indianization of the services. His speech evinces his deep concern for the labour. I set out an extract: "Suppression of labour and depriving their children of education has long been a recognised curse of western industrialism. It kills the culture and manhood of the individual.....who knows what genius remains hidden in the child of the labourer and the poor employée?" He added, "The modern industrialism is a man-killing engine and its spirit refuses to be considerate to the labour it exploits. The sturdy and solid middle class, which is the backbone of a nation gets dismantled and disorganised under its influence. Added to this we have got the work under foreign conditions and foreign ideas."

In this speech he advocated the cause of the children of the railway employees, for proper sanitary arrangement, housing, and medical aid. He demanded more courtesy to be shown to lower class passengers.

No wonder that Pandit Das was elected to the Standing Finance Committee for Railways. On March 20, 1929 in connection with the discussion on the Finance Bill he stood for the interests of the poor peasants. He said, ".....In this land we want neither big farming operations nor big plantations like those in Assam.....Any national Government in India ought to see that these lands are brought under cultivation by conveniently small holders. If you want tea in this land, better set up factories for curing tea or doing necessary processes after it is brought from the field. Why do you have plantations?... My people the Oriya labourers account for more than 25 per cent of the tea labour in Assam and North-east Bengal—3 lakhs out of 12 lakhs."

He also spoke on the Indianisation of the railways, "for which I was fighting and for which I shall continue to fight as long as there is life in me." According to him "Indianization did not mean the supplanting of Europeans by Indians. Indianisation was the inculcation of the Indian spirit among government servants." He defined Dominion Status "as a state of good government under which the Europeans lived at peace and with the concurrence of the Indians in India," (The Indian Annual Register, 1929, Vol. I)

He forcefully declared, "It is the conquest of culture which is the worst conquest in the human world." (cries of 'Hear, hear' from the Congress benches).

I must say that his language was simple, coming from the bottom of his heart, and his eloquence was impressive. 'Sadasi vakpatuta'—the felicity of speech in an assembly was the desirable qualification in Ancient India. There was a simple erudite modern Indian who has left ample proof of this quality in the records of the Central Legislative Assembly.

Let me give you an extract from his speech on the public Safety Bill made on February 2, 1929. He castigated the British masters thus :
 "You cannot now make this Indian Empire a harem, a zenana of the British Imperialist to be exploited in the dark." He spurned the threat of communism and thundered, "I say communism has come in, let it come and we are here to face it." He expressed his own concept of Revolution "What is revolution? In the order of progress, I know everything new is a stage in evolution. The idea of revolution is a creation of unscientific understanding of the people interested." He gave the analogy of a flower blossoming out of a plant—and added, "Who knows that this new ideal that is coming is not the best stage in the evolution of human culture or an indication of the purpose for which the humanity exists? Let it have a trial all over the world. Let it have a trial in India." What a bold assertion there is no inhibition or fear in his mind about communism. A British member, Mr. W.A. Cosgrave panicked and wondered, "why this strong speech (emphasis mine) should have been made by my Hon'ble friend Mr. Nityakantha Das." On April 3, 1929 Pandit Das spoke eloquently on the Trades Disputes Bill. "It was the practice of the government he said, to keep the people half-starved so that they could never think of Swaraj and it was idle talk that they could have water-tight compartments for politics and labour. What they could stop was the exploitation of the labour which

was in progress in the country." Two revolutionaries bomb fell in the House from the gallery wounding some. Soon after the House dispersed in panic, Bhāgat Singh and Bābukeswar Datta were arrested. But that is a different story.

On May 23, 1929 the Governor-General extended the life of the Central Legislature from the end of September in view of political unrest and uncertainty created by the appointment of the Simon Commission. The Congress called for the boycott of the Commission. There were tearing campaigns, strikes and violence to show popular displeasure against the Commission. The Central Assembly also joined in the boycott of the Simon Commission. However, let me come back to Pandit Nilakantha's performance in the House.

But it seems that on the question social reforms among the Hindus, Pandit Nilakantha was somewhat conservative. The Sarda Bill on prohibition of child marriage as reported by the Select Committee of which he was a member was moved in the House by Harbilas Sarda. The bill was postponed by 53 votes to 34, the government siding with the opposition. However, when the bill was again brought before the House in the Simla session, Pandit Nilakantha Das wanted to introduce a measure to save special cases for marriage of a girl where she was between 12 and 14 years of age and special prior permission had been taken from the principal civil court. The Congress members were divided on this issue. Shri A. Rangaswami Ayenger supported Pandit Das's exemption clause to save genuine cases of hardship; my father, Nirmal Chunder, opposed the exemption as it was not confined to the girl's interest. The Law Member also opposed the amendment on the ground that a man with a long purse would easily make out a case for exemption and the House had already rejected 12 years as the age of marriage for girls. The next day Pandit Das's amendment for exemption was rejected by 61 votes to 24. The question of exempting the Muslim marriages was also rejected by 71 votes to 16. Here orthodox Hindus voted with the conservative Muslims for this exemption. The Sarda Bill was passed on September 28, 1929. The Muslims walked out in protest as it interfered with the Muslim Law.

However, in course of his speech in the debate on the Sarda Bill, Pandit Nilakantha made some significant remarks on Hinduism. They deserve mention. He said, "When we speak of Hindu religion I say it is a misnomer. I never believe that there is anything like Hindu religion (emphasis mine). By religion we understand a preached religion, which

has got a book which is revealed and practically it is the word of one man who preached that religion. Hindu religion therefore is a misnomer. I believe in Hindu culture. It is a culture where all stages of the development of the human soul are comprehended. Even the pantheistic teachings of the Vedanta are as much Hinduism as the worship of the stocks and stones by the savage. So this culture you may find in our shastras and you cannot find any hard and fast rules for all time to come and for all climes and all people. It is an interpretation according to adhikara as it is called, the capacity of the man interpreting that will give you the true interpretation of the shastras,....”

Dr. Radhakrishnan much later echoes similar thought in his book *Indian Religions* as follows : “With the openness of mind characteristic of the philosophical temper, the Hindus believe in the relativity of the creeds to the general character of the people who profess them. Religion is not a mere theory of the supernatural which we can put on or off as we please. It is an expression of the spiritual experience of the race, a record of its social evolution, an integral element of the society in which it is found. That different people should profess different faiths is not unnatural. It is a question of taste and temperament. *Ruchinam vaichitryat.*” (p- 49) Dr. Radhakrishnan’s ‘integral element of the society’ may be equated with Pandit Nilakantha’s use of the word ‘Culture’. In my opinion he had comprehensive grasp over the nature of Hindu religion.

Meanwhile, important political developments were taking place outside the Assembly. From time to time there had been serious communal riots in different parts of India. Shri Vithal Bhat J. Patel had become the President of the Assembly after the expiry of the four year term of the first president. He belonged to the Swaraj Party. Naturally he was opposed to the repressive measures such as the Public Safety Bill. He refused to allow the discussion on the Public Safety Bill. It was passed as an Ordinance. Keith naturally makes these adverse remarks against him, “Moreover, the government was harassed in the Assembly by the quite unfair tactics of the Speaker (President), who instead of confining his activities to the control of debates put his energies to endeavouring to frustrate the plans of the government and so to bring it into contempt...” (p 291). We need not accept the acid comments of this champion of British imperialism. But the fact is that the Central Assembly did not toe the governmental line. Outside the House the Congress was getting more and more militant. It noticed the hollowness of effective opposition within the Assembly. On July 5, 1929

the Congress Working Committee at New Delhi resolved that all legislators should resign their seats and decided to refer the question to the final decision of the All India Congress Committee on July 26, 1929. Bengal, Bombay, Madras and Central Provinces Congressmen, however, expressed in favour of work in the Councils, as many important matters likely to affect their provinces were likely to come up in the Legislatures. On July 26 All India Congress Committee at Allahabad adopted Gandhiji's compromise resolution to postpone the withdrawal of the Congress members from the Central and the Provincial Legislatures till the full session of the Congress at Lahore to be held in December. He however urged the necessity of concentrating on a nonviolent non-cooperation campaign after December 31. Subhas Chandra Bose seconded the resolution. Gandhiji observed that the Congressmen must withdraw from the legislature on January 1, 1930. Subhas Chandra assured him that the Swarajists had made it clear that they were not enamoured of the Legislature, but their object was merely to keep the enemy engaged at all possible fronts. That they largely succeeded is clear from Keith's castigation, I have mentioned earlier.

Meanwhile, there was serious labour trouble at Golmuri in Janshedpur. The All India Congress Committee resolved to enquire into it. In the context of that strike it fell to Pandit Nilakantha's lot to move a resolution to amend the Steel Protection Act 1927 with a view to the withdrawal of the protection granted to the Tinsplate Industry. He moved the resolution on September 24, 1929 at the Simla session. His speech contained scathing criticism. As summarised by the Indian Annual Register, he "urged that the protection granted to the Tinsplate Industry should be withdrawn as it has failed to carry out Indianisation adequately and for its treatment of labour in connection with Golmuri strike. He said that while labourers imported from abroad were given roughly Rs. 1300 per month, the Indians for doing the same work were given only Rs 88 and the manner in which they had shamelessly treated the strikers at Golmuri forfeited their claim to protection at the cost of the Indian tax-payer."

Even a European member failed to understand the refusal of the Bihar and Crissa Government to set up a court of enquiry.

The leader of the Congress Party supporting the motion said that "It was not a mere party resolution but the whole weight of the Indian National Congress was behind it."

On a vote being taken Pandit Nilakantha's motion was carried by 51 to 42 votes in the teeth of governmental opposition. This was another feather to his cap.

But he himself was getting disenchanted with the Constitution imposed from the top. He wanted the constitution to grow from the bottom, from the village level, for speaking on the establishment of Panchayats in villages he said on September 17, 1929, "I do not know if many of us realise whether the constitution in which we are being trained, rather spoonfed, is one which is being evolved from within the country itself. In India all institutions were evolved from the villages and our real life was in the village. Now the system is quite topsy-turvy. In everything that we think of, we imagine placing ourselves under conditions obtaining in countries across the ocean where the system of culture is quite different from our own system which is Indian and is best suited for India. We want to impose things on our own people, and that from above." This was the pronouncement of an elder statesman who had intensively worked under the system imposed from above. It had no real link with the masses. His thoughts were akin to those of Gandhiji, which he had expressed earlier in Hind Swaraj and was to enunciate later in his last will and testament after Independence. But then we the people of India adopted a Constitution, a patchwork-quilt pieced together from different constitutions of the world. It too was imposed from above. It did not evolve from the village below. The Panchayat Raj institutions set up since Independence are nothing but an eyewash.

However without digressing further I should resume the narration of political developments in 1929 outside the House. Towards the end of December Gandhiji met Lord Irwin and demanded full Dominion Status to operate forthwith. The demand was rejected. The Lahore Congress on December 29, 1929 adopted the momentous complete Independence resolution and asked for the boycott of the Legislatures. The day was lost. On January 1, 1930 the Congress President, Pandit Jawaharlal Nehru, issued an appeal to the members of the Assembly, the Provincial Councils and Government Committees requesting them to resign forthwith from these bodies. Two days later Pandit Motilal Nehru addressed letters to individual members to resign their seats, reminding them of their election pledge to do so when called upon. Many Swarajist members of the Central Legislative Assembly did comply with the directive.

The House met on January 20, 1930. The Indian Annual Register describes the scene. "The winter session of the Legislative Assembly met at New Delhi on the 20th January 1930 at 11 a. m. in the morning under the presidency of the Hon'ble Mr. V. J. Patel. The House itself

had undergone on the non-official side a complete change of outlook. The Swarajist Opposition block which had functioned for six years had disappeared owing to the Lahore Congress mandate and such of them who had still kept their seats had been shunted on the non-party back benches. The seating arrangement had placed the Nationalist Party in the Official Opposition Benches with Pandit Malaviya occupying Pandit Motilal Nehru's seat to the left of the Deputy President, Mr. Yakub." (193, Vol I. P. 193).

Pandit Nilakantha also resigned. But he joined Pandit Malaviya's independent party and was again elected to the Central Assembly. (Speeches and Remarks, 1959, Vol. I P. iii) On March 21, 1930 he moved an amendment to the motion for the abolition of salt duty, to the effect that "the Government would remain dealers in salt but the manufacture of salt would be free." This was negatived. He next moved another "amendment which empowered the Government to remit duty on Indian salt." This too was rejected. The Government, however, agreed to refer the matter to the Tariff Board. (ibid p. 29). Three days later, speaking on the Finance Bill he moved for "the abolition of export duty on rice on the ground that food stuffs should be untaxed" His amendment was lost by 44 votes to 16. This was the result of a depleted opposition on the resignation of the bulk of the members of the Swaraj Party. In his autobiography Pandit Nilakantha writes, "In the second election I was elected on the Congress Party ticket and became Secretary once more. Afterwards again in 1930 all the Congressmen had to resign. I left them and again joined Malaviya's party for twelve more days and on the day of the Dandy March I resigned along with Malaviya, Patel and all others." (p. 179). Obviously there is some lapse of his memory, when he wrote his autobiography several years later. As appears from the events recorded in the Indian Annual Register (1930 Vol. I), on April 2, Pandit Madan Mohan Malaviya along with a number of Nationalists headed by him tendered their resignations from the assembly, "each writing his own explanatory letter giving varying expression of opinion, but all combined to make imperial preference in the Tariff Bill the common issue of protest." Pandit Nilakantha was one of those National Party legislators who resigned on April 2, when the Dandy March began. But President Patel resigned on April 25, 1930 long after the Dandy March. He had declared that although he had been elected on the Swarajist ticket, "he ceased to be party man with his acceptance of the Speakership and owed it to the House to continue to regard himself as a non-party man." (ibid., p. 22)

However, on April 25, 1930 "V. J. Patel tendered his resignation of the Presidentship and Membership of the Legislative Assembly to join his countrymen in the movement for freedom." (ibid., p. 40). Thus ended Pandit Nilakantha's this term in the Central Legislature. He soon joined the Civil Disobedience Movement, for which he was imprisoned from 16-1-32 to 15-33. His wife, Smt. Radhamoni Devi, was also in jail. His health broke down, as he suffered from Oxalate stone, With this I end my first lecture.

LECTURE II

It is well-known how Roundtable Conferences were held; Ramsay Macdonald, British Prime Minister, gave his 'communal award' for separate electorate on the communal basis for Muslims, Europeans and Sikhs. Gandhiji in a pact with Dr. Ambedkar, averted a separate electorate for the Depressed Classes. Ultimately the Government of India Act 1935 received the Royal assent on August 2 of that year. It provided for the formation of a Federation of India consisting of Governors' Provinces, Chief Commissioners' Provinces and Indian States which had acceded to the Federation. There would be a Federal legislature consisting of His Majesty, the Governor-General and two legislative chambers, viz. Council of States and the House of Assembly. The term of Federal Assembly was to be five years. But the Federation did not come into being. The Congress condemned the Federal Scheme. Pandit Jawaharlal described the Government of India Act 1935, as a 'Machine with strong brakes and no engine.' (Rama Jois, op. cit., Vol. II, P 310) In the meantime fresh elections were held under the Old Act of 1919 to the Central Legislative Assembly, to which Pandit Nilakantha Das was re-elected after release from jail. He was then the President of the Ulkal Congress Committee. As a Congress member he took his oath on January 21, 1935. Thus began his fourth term as a national legislator, under the leadership of Shri Balabhai Desai. My father was also re-elected. He took his oath on September 3, 1935. He also served as the President of the ad-hoc Bengal Provincial Congress Committee appointed by the Working Committee.

In his first year as a member of the new Central Legislative Assembly, Pandit Nilakantha was at once elected to the Standing Finance Committee on the Railways as well as in the Library Committee of the House. He was again elected a Secretary of the Congress Legislature Party. The other Secretary was Shri Satyamurti from Madras. In spite of his strenuous activity in Orissa as the Ulkal Congress President Pandit Nilakantha found time to take part in the affairs of the Central Legislature with his old vigour and zeal. As before he continued to put a number of questions on important topics such as Railways matters, labour and socialist organization to ascertain the views of the Government. His debate on the demand for supple-

mentary grant touched wide range of subjects, such as archaeology, police, agricultural marketing and the development of broadcasting. All these go to show his interest in vital matters touching the interest of the nation. He proposed a revision of taxation policy by leaving out levy of taxes on uneconomic holding and reducing indirect taxation. On March 13, 1935 his forceful speech on the Finance Bill exposing the exploitation by the British imperialist drew applause from the Congress opposition and protest from Sir James Grigg. Pandit Nilakantha's debates show his broad grasp of the economic problems of the country.

In the meantime the Congress Legislature Party, though in a minority in the House, succeeded in getting majority support in defeating the Government on several important matters. For example, the adjournment motion on Shri Sarat Chandra Bose's detention was carried by a majority of votes on January 11, 1935. On January 30 the important Indo-British Trade Agreement was rejected by the Assembly by 66 to 58 votes. The motion for removal of ban on the Red Shirts was carried by 73 to 46 votes on February 5. The out motions on the Railway Board and the Railway demands were carried by 75 to 47 votes and 81 to 44 votes respectively on February 22 and 25. The Viceroy's recommendation to reimpose the salt tax was also rejected by 64 to 41 votes. The Government looked small but carried on under the special constitutional power. On April 24 some members of the AICC at its meeting at Jubbalpore wanted to congratulate the Parliamentary Party on its 'successful' work in the Assembly, but the Congress Socialist succeeded in getting the word 'successful' deleted. They condemned the Party for its failure to reject the report of the Joint Select Committee on the Constitutional Reforms including the Communal Awards. But on April 27, Shri Desai deplored the class antagonism raised by the Socialists and "paid a tribute to the Congress party in the Assembly, which although a minority in the House had, by its sincerity and earnestness impressed every one both within and outside the legislature." (Indian Annual Register, 1935 Vol. 1 pp. 30-31) Pandit Nilakantha, as a Secretary of the party, could proudly claim a share in his leader's appreciation.

On September 3, 1935 at the Simla session of the Central Assembly Pandit Nilakantha moved his censure motion against the Government for sending troops to Abyssinia without consulting the House or the public opinion. Far-reaching developments were taking place in Europe. Italy came under the Fascist rule under the leadership of Mussolini. Italy attacked Abyssinia. Pandit Nilakantha in his speech "wanted to make it clear that Indian troops should not be used for war. India

sympathised with Abyssinia. He had no objection in sending troops only for the protection of Indian nationals in Abyssinia. He condemned Italy's attitude and Signor Mussolini's description of the coloured races. But his reference to this foreign power was objected to by the European Foreign Secretary, Mr. Acheson, and the leader of the House Sir N. N. Sircar. The Army Secretary tried to justify the action on the ground of protection of the Indian residents in Abyssinia. But ultimately the president, Sir Abdur Rahim, ruled that any discussion on the foreign policy was prohibited. Pandit Nilakantha had to withdraw his resolution but his purpose of exposing the Government action was achieved. (The Indian Annual Register, 1935, Vol. II, pp. 92-93).

On September 23 he moved that the Coffee Cess Bill be circulated for eliciting opinion as "the Government's own statistics showed that coffee plantation had increased very little during the last fifteen years and there was not much scope for future expansion." (ibid. p. 121) "Sir Zafarullah Khan, Commerce Member, in reply to the debate said that he did not drink alcohol or coffee and had a good deal of sympathy with the point of view of Pandit Nilakantha Das and Mr. Ayyengar, but it was impossible for three sane men to convert the whole insane world to their view" (Laughter) reports the Indian Annual register (ibid., p.121). The house rejected Pandit Nilakantha's motion for circulation.

In this autumn session also the Congress Legislature party scored many successes. For instance, the adjournment motion on the ban on Shri Mohanlal Saxena, an Assembly member, on his fact-finding tour in Bengal was admitted by the President but prohibited by the Governor-General under his special power. Mr. Khan Sahib's motion condemning the bombing of women and children in the north-western frontier was carried by 67 to 44 votes. Another Congress motion for manufacture of locomotives was passed by 65 to 45 votes, but a motion for the removal of ban of the Abhay Ashram was disallowed by the Governor-General. At the instance of the Congress Party the Criminal Law Amendment Bill was thrice rejected by Assembly by large margins, but the Viceroy certified it after it was considered by the Council of States.

1936 was busy year for Pandit Nilakantha Das both in and outside the Legislature. Within the legislature, apart from the usual spate of questions, he made several contributions to the proceedings of the House. Some of his important achievements as a legislator should be resounded.

On March 20, 1936 Pandit Nilakantha Das moved that in clause 2 of the Finance Bill relating to salt duty a clause should be added for remitting duty with effect from April 1, 1936 to the extent of a prescribed amount. He suggested that barren lands which could produce salt should be allowed to be so used. Sir James Grigg opposed him on the ground that the government would lose Rupees Eight Crores on such remission. Mr. Jinnah admitting that a reduction of the salt duty would give substantial relief to the poor decided to stay neutral with his party. Pandit Das's amendment proposing to abolish the salt tax was passed by 52 to 41 votes. The Congress and the Nationalist members applauded him.

On March 23 Pandit Nilakantha moved an adjournment motion for the removal of ban on Subhas Chandra Bose. A gifted son of India, Subhas Bose was the foremost among the Nationalists. Condemning the ban on his entry Pandit Das said if Subhas Bose was allowed to return to India, he could as the Secretary of the Congress create a desirable climate for the good of the people and the government. Despite stiff opposition from the new Home Secretary, Mr. Hallet, the censure motion was carried by 65 to 56 votes, although Mr. Jinnah and his supporters remained neutral.

On the next day Pandit Nilakantha's amendment opposing the reduction of surcharge on super tax was, however, rejected.

But he scored another success on April 16, 1936 when his amendment on the motion for affording protection to small and cottage industries was carried. It called upon the Government to take definite and effective steps to extend the policy of protection to small and cottage industries by adopting such measures as protective tariff as well as bounty, subsidy and State purchases wherever necessary and with this object in view to appoint a committee to enquire into and report. This again shows Pandit Nilakantha's practical bent of mind in matters concerning the benefit to the poor and the down-trodden.

He also participated in the discussion on the Railway budget, the Lac Cess (Amendment) Bill, the Indian (Tariff) Audit Bill, the Arya Marriage Validation Bill, Indian Railway Audit Bill, Indian Companies Bill and other topics. All these go to show his wide range of interest and versatile knowledge of public affairs which placed him in a unique position much above many other legislators. Speaking on the ticketless travellers, he denounced the Government with this remark. "Fraud, if

there is any, is being encouraged by your own officers." This charge of corruption in the Railways Administration holds good even today. Again, he wanted the same level of administration for the people of the excluded and partially excluded areas.

Thus by this time Pandit Nilakantha matured into a serious national legislator whose views on diverse topics commanded respect of the house which consisted of political heavyweights. That was not a mean achievement at all, Understandably he was appointed to the Committee on Petitions and the Committee on Small and Cottage Industries

Outside the House, his long-cherished dream for which he had fought ceaselessly was at last fulfilled. He had persistently put questions in the Assembly for the amalgamation of the Oriya-speaking tracts, moved his forceful resolution on the topic earlier and fought for the measure on the Congress platform and elsewhere. On April 6, 1936 separate Orissa province was inaugurated. It was a red letter day for all Oriya-speaking peoples. A summary of the ceremony of inauguration as reported in the Indian Annual Register 1936 (Vol I, p 15) may be set out:--

"His Excellency Sir John Hubback was installed as the first Governor of the newly constituted province when at the Darbar Hall of Ravenshaw College, Cuttack, Mr. P. L. Mansfield, Chief Secretary designate of Orissa, read the warrant of appointment and Sir Courtney Terrel, Chief Justice, Patna High Court, administered oaths of allegiance and office to His Excellency. Immediately following his installation, His Excellency was recipient of joint address from deputations. His Excellency in the course of his speech, read a special message from His Majesty the King-Emperor, which he had sent through the Viceroy together with Viceroy's own message."

The Dictionary of National Biography rightly designates Pandit Nilakantha Das as "one of the makers of modern Orissa" (Vol I, p 353).

He was then the President of the Utkal Congress Committee. The Indian National Congress decided to fight the election under the Government of India Act 1935 for the Provincial Assembly. In addition to his duties in the Central Assembly, Pandit Nilakantha had to bear the burden of gearing up the party for the election which was in the offing. So the year 1936 ended with the stupendous task of organisation for the fresh electoral battle.

As Pandit Nilakantha was busy with the provincial politics in 1937, he could do little in the Central Assembly during this year apart from his usual participation in the discussion on the Finance Bill and harping on the Indianisation of Railway services. Although it does not fall within the scope of my subject, I have to mention that as the President of the Utkal Congress he led his provincial Congress party to outstanding success in the election, although he did not himself contest the provincial election. Congress candidates won 36 out of 63 seats of the provincial Assembly. The first Congress ministry in the province was going to be formed. In the glorious hour of collective success came the rude shock of his personal frustration, which he ruefully recounts in his autobiography (pp. 201-202). He informs us that 20 Congress legislators out of 36 elected him as their leader. In the usual course he would have been the first premier of Orissa. But some Provincial legislators conspired against him and got a rule framed that the leader would be elected out of the provincial legislators only. Even with majority support Pandit Nilakantha had to step down. His 20 supporters voted for Shri Biswanath Das, Pandit Nilakantha states that there was an understanding with Biswanath Das that the rule would be changed, and he would resign in favour of Pandit Nilakantha who would then resign his central Assembly seat on being the Premier of Orissa. I have no means to check this statement. But the fact remains that this did not happen and his appeal to Sardar Ballabhbhai of the Central Parliamentary Board of the Congress bore no fruit. His mental shock can be understood. Presumably it told on his performance in the Central Assembly for the next three consecutive years, 1938 to 1940. He had very little to contribute to the deliberation there. With deep resentment he narrates in his autobiography how with a vindictive motive the Congress government in Orissa harassed his followers by initiating futile criminal proceedings. (p. 201)

On 14 February 1938 Pandit Das was the butt-end of humour, when speaking on the Child Marriage Restraint Amendment Bill he stated that the Bill was a good one, 'Sir Nripendra Sircar (Law Member) enquired perplexedly of the Pandit whether he meant bulls which he was talking about agricultural science'. Such a jest from a responsible Minister of the Government was puerile to say the least. (Indian Annual Register, 1938 Vol. I p 87). He also had some comments to make on the Indian Tariff Amendment Bill and Indian Tea Control Bill, but they were not significant. Likewise in 1939 he had only a few questions to put to the Government.

But he had the honour to open the general debate on the Railway Budget on behalf of the Opposition, on 16 February 1939. In this long speech he sharply criticised the stores purchase policy of the railways. "The sum of about 20 crores spent on purchases was in his opinion the most important item and constituted the main justification for treating railways as a national asset but, he pointed out, there was a gradual decrease in the amount of purchases made in India. State-managed railways sinned more in this matter in gradually increasing their purchases from abroad since 1932-33 from 58.1 per cent to 62.9 per cent. He took particular objection to the purchase of rails from abroad amounting to 178.9 lakhs in spite of the undertaking given to the House to purchase rails from the Talas." This is the summary of his speech given in the Indian Annual Register 1939. (Vol I, p. 113) This speech is not the frothy effervescence of a philosopher but a determined attack of an astute politician, tearing to pieces the imperialist trick of draining India's resources through an essential service. It was marked by the wealth of details and forthright presentation of facts.

Sir Thomas Stewart in reply evaded the main points, on the ground that the debate was similar from year to year. He admitted that the budget was "uneventful one; that was not bad when one remembered the saying that the country was happiest which had no history." (ibid)

In the meantime significant developments had taken place outside the legislature. In the Congress Presidential election this year Shri Subhas Chandra Bose defeated Dr. Pattabhi Sitaramiya, Gandhiji's protege, when Gandhiji sadly commented, "the defeat is more mine than his." However Shri Subhas Bose was forced by the circumstances to resign and later formed the Forward Block. Babu Rajendra Prasad was elected the president in his stead. But the Congress was rudely shaken. On 11 August 1939 the AICC disqualified Shri Subhas Bose from membership for 'grave indiscipline. The split was a complete.

The Congress boycotted the autumn session of the central Assembly when it met at Simla on 30th August 1939. The Congress members being absent their seats were filled by the members of the Muslim League. Pandit Nilakantha Das as a Congress member was absent. On 3 September 1939. Britain declared war on Germany India joined world War II. On 10 September the AICC passed a resolution demanding a clear statement of Britain's war aims. On 17 September, the Viceroy on behalf of the British Government offered constitutional changes at the end of the War. Gandhiji considered the declaration as "profoundly

disappointing'. On 22 September the Working Committee called upon the Congress Ministers to resign. Pandit Nilakantha Das wrote to the Congress President, Dr. Rajendra Prasad, requesting him to reconsider the Congress resolution for resignation of the Ministry. The request was fruitless, for the Congress Ministry in Orissa resigned on 4 November 1939. The Congress called for a fresh Civil Disobedience movement and in April 1940, the Orissa Congress prepared for it in right earnest.

But Pandit Nilakantha and his friend Godabarish Mishra opposed the anti-war agitation. The Orissa Congress Swarajya Dal was formed. The sponsors backed by Pandit Nilakantha tried to form coalition ministry. To give his support to the move Pandit Nilakantha resigned from the Congress Party in November 1940 (History and Culture of Orissa, P. 269). This was a serious move on his part. He snapped his long connection with the Congress. This boosted the chance of a Coalition Ministry. It was soon formed with Maharaja of Parlakhemedi as its Premier and Godavarish Mishra and Maulvi A. S. Khan (Musl. m league) as its members. Pandit Nilakantha's own role behind the formation of the Coalition Ministry was later explained by him in the Central Legislative Assembly as we shall see.

He was no longer a Congress member there. Even when he had joined the Assembly as a Swarajist member, his link with the Congress was not broken, as the Swarajists officially were recognised as Congressmen. In 1930 he temporarily joined Pandit Malaviya's party in the legislature. But they all resigned on 2 April 1930 as we have seen and Pandit Das came back into the Congress fold. But now the position was totally different. Not only did he resign and strive for the formation of the Coalition Ministry against the Congress policy, he decided to help the war efforts. I am not here to pass any comment on his decision. I would rather quote his self defence in his speeches before the Central Assembly.

1940 was almost a blank for him in the Central Legislature. The Congress members continued to remain absent from the House since August 1939. Pandit Nilakantha's name appears in the proceedings of the Central Legislative Assembly twice, in connection with the excess profits Tax Bill and Indian Railway (Amendment) Bill. He was more active in the provincial politics in this year. But in the next year, he returned to the Central Assembly with renewed vigour. His participation touched diverse subjects. Some samples of his activities will suffice to indicate his varied interest. For instance, he spoke on

demands for grant in respect of locomotive power and open-line works, supplementary grant in respect of Ajmer-Merwara, Andaman-Nicobar Islands ("What is the present arrangement made there for convicts?" he asked, "How long will they remain convict settlements?") Aviation (He complained against inadequate number of pilots and mechanics), Central Board of Revenue, Salt (his favourite topic), and stamps. On the motion to reduce the demand for the Railway Board (another favourite subject) he touched upon purchase in connection with the development of Indian industries, the suspension of the pledge for the manufacture of locomotives in India for the period of the War, and Indianisation of higher and responsible positions (still another topic he liked). His interest was topical for he dwelt on the contribution for the cost of Civic Guards (a war-time innovation), and the constitution of a Board for Scientific and Industrial Researches. He also had many questions on the Railways and the telegraph.

In some of his speeches he was in a reminiscent mood. I quote some extracts from his speeches, as they may be supplementary to his autobiography. These speeches are probably more important contemporary expression of his thought, an attitude which might have been lost when he wrote his autobiography many years later.

Thus speaking on the Civic Guards on March 28, 1941 he remembered, "Orissa is the cinderella of the British Government. After the war began, I must confess that I had lost all faith in the philosophy of spinning wheel and ethics of non-violence...."

"Sir Cowasji Jehangir : Why ?

"Pandit Nilakantha Das : I lost faith in non-violence ethics and this was the reason why I gave up the Presidentship of the Provincial Congress.

"Mr. Lalchand Navalrai : For how long were you the President ?

"Pandit Nilakantha Das : For many years I had been the president and I wanted to co-operate with the Government. I received a letter for joining the War Committee. There was a bar from the Congress, and in spite of that bar I offered my services to the Government....". One must not forget that in an earlier stage Gandhiji also co-operated with the Government. Pandit Das then gave his reasons, "There are many among us who have now realised that the non-violent ethics and spinning wheel philosophy will not save our land. Those things will not

give us independence. We also do not demand from you that you should undertake that by such and such a date you should give us independence. Many of us know that. But all the same, we also know that this is the time when we should get ourselves prepared for taking up the defence of the country in hand when it is much needed and this will give no strength and confidence to manage our own house just after the war. If you do not accept our co-operation with this object in view, if you do not allow us to take charge of our country to guard against internal disturbances and disorders, ask us to recruit our young men to the army, no good will come out of the wasting of money like this. You have not trusted us for the last 180 years and even at this critical time you are pursuing the same policy and distrust which will lead you nowhere. So I support this amendment with a narration of my personal experience”.

From this long extract it will be clear that Pandit Nilakantha supported the War efforts not for any personal gain or any personal advancement. He had earlier received tempting offers from top British bureaucrat for changing side, as he has narrated in his autobiography. Such a temptation could not allure him then. How could similar temptation allure him at that advanced age? He did not attempt to join the Provincial Cabinet or get any other post from the foreign rulers. His sole purpose of supporting the War efforts was his newly-grown faith that non-violence or spinning would not bring independence for India, belief that “we should get ourselves prepared for taking up the defence of country in hand when it is much needed,” that “this would give (us) strength and confidence to manage our own house after the war”. These in brief were his main objectives for flouting the Congress line. One may or may not agree with him, but one cannot impute ulterior personal motive upon him for his political revolt. But he himself became disillusioned, because the British did not accept the offer of help in right earnest. So he did not hesitate to censure them on the platform of the Central Legislature, Later he elaborated his objective as we shall see.

Pandit Nilakantha continued to be active once more till the end of his long-drawn fourth term. Between 1942 and 1945 he played the role of a mature legislator fighting the British rulers within the house. At many stages he bluntly criticised the rulers for their failures. Thus in 1942 speaking on a motion for reduction of grant, he lamented, “We have not attempted scientifically to tap all our resources for the defence of the country, and I should like to know generally what we are actually doing”.

Again, on a resolution condemning the supply department he complained, "I live in rural areas... I find everywhere famine conditions. I do not know how to give food to the poor villagers. The famine condition will continue longer. There is no effort on the part of the supply department to provide a village industry for these poor fellows. He also castigated the Government in his speech on a resolution for setting up a committee of enquiry into the alleged police-excesses. He was not a stranger to the British jail, but he thought it fit to fight the British on the constitutional platform provided by them even during war time. He had that amount of moral courage. While some of his erstwhile colleagues were fighting the British on the streets during the historic August Movement, he was fighting them in a constitutional manner within the four walls of the Legislature. Even his help in the war efforts was not a means to his personal gain but, according to him, a step towards independence.

He, however, did not stay away from lawmaking process, because that is the major task of a legislator. Thus, on the Hindu Code (Intestate Succession) Bill he expressed his profound belief in religion. By this word he meant, "But religion is rather a scientific expression of organised relations of men in society. That is religion..... It is always evolving according to custom and circumstances. It is Sanatana It means born always. [(Sada) (Tana) = born] Sanatana means ever progressing. Sanatana does not mean something like a stone or stock of wood... Sanatana is not static... Religion if properly understood is this. It is never stagnant."

In course of this speech, he said, "When I was a young boy.....

"An Hon'ble member : Were you ever young ?

"Pandit Nilakantha Das : I am still young : that is my mistake."

This brief interruption and retort speaks of an alert mind of Pandit Das. He was indeed mature in age but fresh in mind. His mind was ever active.

He took the legislature as a loud speaker for addressing the entire nation. Once speaking on a resolution on the alleged police and military excesses, he warned, "Rule by civilians white or brown must go if India is to be saved from the horrors of a revolution and perchance a devastation of foreign invasion."

He forgot the place and said, "Let me address a few words to my countrymen on this occasion." To him the Legislature was just a national public platform from which he would reach his countrymen.

Of course, the President shattered his dream when he bluntly stated, "The Hon'ble member must confine himself to the Resolution before the House. He cannot go into all sorts of political questions on the Resolution." Pandit Das was unrepentant. His amendment was quite rational against excessive force, not against legitimate exercise of force for dealing with an act of sabotage.

A feather to his political cap was added when on February 18, 1943 he moved his celebrated Resolution on the implementation of the Federation of India. This was contemplated in part II of the Government of India Act 1935 by which there would be one federated Central Government comprising British India and the princely States. The Scheme was rejected by the Congress and the Princes. Still Pandit Das went back on his earlier stand as a Congressman and in the changed situation demanded the establishment of a Federation for unifying the Indian nation.

I give some significant extracts from this long speech and his reply. He said, "Sir, I have been a very strong Congressman in my life and a nationalist of the extreme way and I believed for many years of life in this policy of self abnegation. But when the war came and when this policy was going to be carried out to the extreme at such a critical time by giving up Ministries, I was simply taken aback. Then I made a public statement and said, "For God's sake do not commit this mistake. "There even came a time," I said, "when not to speak of aeroplanes not even a single soldier will be able to come to this land from abroad and our Masters who have ruled over us for six generations and have not given us any opportunity to shoulder a gun will want us to join in Defence Forces without any distinction of colour or caste, martial or non-martial." So I said, "do not lose opportunity by the forelock." I then wrote to the then Congress President, Dr. Rajendra Prasad and said that unless better sense prevailed, I was not with him. I am sorry to say that after so many years of association I had to part company with the Congress. I believe there should now be effectively pursued that policy which is called responsive co-operation and that is the only way to progress in our national advancement."

This reminiscence, almost contemporary, throws light on his stand. From the platform of the Central Legislature he purported to address the nation about his line of thinking which was opposed to the Congress view-point.

He further explained, "If you can successfully join in this war no nation in future will say that India is unfit for its self-defence. Whatever be your communal difference, if you are practical you can create that sanction."

He claimed the coalition Ministry in Orissa to be principally his handiwork. He stated, "The Ministry is still working in Orissa and many of my friends might know that I personally and directly am responsible—I wrote to the president of the Congress that I do not like that we should withdraw any ministry and that if they withdraw, I would see to it that other ministries function and so I have been directly and definitely responsible for the Ministry now working there and I can tell my Hon'ble friends that though the Muslim population in my province is only 1.7 percent-less than 2 percent, in the Ministry their percentage is 33½ percent."

One Muslim member mischievously belittled this claim. On his query, he was informed that in Orissa, there was one Minister out of three and hence 33½ percent. He quipped how could one cut up a Minister's body to represent the communal two percent.

The Muslim members in a body opposed the resolution for the Federation. It was ultimately negatived. In 1943 Pandit Nilakantha wanted another innovation, Members of the Central Legislature Payment of Salaries Bill. So long the members got daily allowance for attendance. But growing demands of the Legislative work encroached more and more on their time. If they had to earn their full livelihood, they could not devote sufficient time in the House. Hence the payment of regular salaries to the members was demanded by Pandit Nilakantha by introducing this novel bill. It was also negatived. But now all the members of Parliament and Legislatures are regularly paid their salaries. In this respect Pandit Das was a legislator before his time.

He was also aware of the predicaments of the people. He condemned the failure to prevent the export of rice from Bengal as well as the shabby treatment of political prisoners. In the field of higher education, he participated in the Delhi University (Amendment) Bill.

His speech on the Bengal Famine was forceful. He adumbrated, "There the famine has been forced by the Central Government on account of its weaknesses, want of foresight and disorganised activity..." He was critical about the food situation in Orissa, when he said, "Hence I may point out that Orissa is perpetually on starvation diet. It is on the

verge of starvation. In Orissa, the per capita production is 19.602 per day and per capita consumption is only 13.02 of food grain. (much less than Central Province and Sind, he said) ... The Oriya peasant has got nothing to supplement his food, such as meat, fruit, etc unlike the peasants of N. W. F. P. or even Sind." His speech was marked by its wealth of details. As a remedy for the provincial mal administration, he had faith in a strong central Government. He opined "There should be a strong Central Government with a definite plan and purpose working like a military institution with firmness as well as forethought."

Meanwhile he was not silent about the Hindu social reforms through Legislation. He had, as we have already noted, strong view, leaning towards conservatism, on this question.

In 1943 when Dr. Deshmukh moved his Marriage Liabilities Removal Bill for Legalising sagotra marriage, Pandit Nilakantha protested, "I say it is not necessary to tamper with the ideal of society which guides the Hindus and the Hindu religion... We are not averse to passing laws. We are here to make laws for the good of the society. But where is the case for such a law? Why do you unnecessarily want to disturb the society and the religion and criticise the Pandits?"

It is, however, needless, to say that Pandit Nilakantha's opposition to the reform of Hindu social law had been over-ruled since Independence. The Hindu Code has brought about far-reaching social changes in the Hindu society.

The War was coming to an end. On the Constitutional question new hopes were raised. The Congress Members of the Assembly returned to join the Simla session. The Assembly was humming with activities. But Pandit Nilakantha had to meet a rude shock in his home state of Orissa. Pandit Nilakantha's handiwork or not, the Coalition Ministry had been losing public sympathy and support since June 1942. The August movement in Orissa took a violent turn. The ministry fell in 1944. (History Culture of Orissa, op. cit., p. 271)

1944 was, therefore, a lean period for him in the Central Legislature. He was, of course, elected to the Standing Committees for the Commerce and the Food Departments. These provided him with important Committee work. In this year his important speech was on the resolution for the Constitution of the permanent Food and Agriculture Organisation of the United Nations. He strongly dema-

ned, "The House has a right to get from the Hon'ble members a definite statement and undertaking that India will join the Organisation only for the good of its own people". Expressing his concern for the Orissa peasants, he reiterated his demand for a strong Central Government. He added, "Either the Provinces should be by statute made to agree to the control and direction of the Centre in matters relating to agriculture or that the Government will be more unitary in the next constitution than it has been." However, his salutary advice was rejected in the Constitution of India, for Agriculture is included in the State list (Item 14, List II, Seventh Schedule). Overall weakness in the field of agriculture cannot be cured by the Union Minister of Agriculture, whose power is circumscribed by the constitutional checks in favour of the State Governments. This makes the formulation of a uniform agricultural policy and its implementation extremely difficult without active co-operation by the States.

he extended innings of the Central Legislative Assembly was coming to a close in 1945. In this last session Pandit Nilakantha was elected to the Standing Committees on Food and Emigration. Both were important. He had his usual participation in the discussion on the Railway Budget. As before, he criticised the Railway Board and complained against the failure to employ the Oriyas in the Bengal-Nagpur Railways in sufficient numbers. It is interesting to note that he had been critical of the paucity of the Sikhs in the Railway Services. This definitely marks the catholicity of his national outlook. He spoke on the Technical Personnel Protection Bill. But his speech on the National War Front was an admission of failure of his own policy of "responsive co-operation" due not to any lack of sincerity on his part, but to the suspicious callousness of the British rulers in India. His own speech is an epitaph on "responsive co-operation". On the National War Front he sadly confessed, "I can speak from my personal experience that it is neither national nor has it anything to do with war or its front. Nothing is being done to maintain the morale of the people. During the last Ministry of Orissa for the formation of which I was mainly responsible, at the request of the Premier, I accepted the duty of working the organisation, as its chief. I do not want to go into details. I found that it was meant to be a non-official organisation, which it ostensibly was, but only 'safe' non-officials were wanted and real non-officials were discarded. If the real non-officials offered to serve on this organisation, they were not accepted. It came to such a pitch that within a few months of its inception, I, being non-official myself, had to sever all connection with it by tendering my resignation publicly." Thus ended the fragile policy of "responsive co-operation."

The Assembly ended in 1945. In June 1946 the Congress Ministry with Dr. Harekrishna Mahtab was formed in Orissa. (ibid, p. 271). There was to be fresh election to the Central Legislative Assembly. Pandit Nilakantha wanted to rejoin the Congress and even deposited fees for a Congress ticket. He was denied the Congress nomination. He was wise enough not to contest for the Central Assembly. Later since independence he switched over to the State Legislative. He went back to the Congress and adorned the office of the Speaker of the Orissa Assembly, as he narrates in his autobiography. But that is a different episode, outside the scope of my lectures.

In conclusion, a teacher and poet such as Pandit Nilakantha Das, blossomed into a forceful national legislator. He had three consecutive terms in the Central Legislative Assembly, which covered a span of nearly two decades. He worked with and against political stalwarts, but he held his own. With commendable command over a foreign language he contributed significantly to the solution of many provincial, national and international problems within constitutional limits. The Legislature itself was not a powerful body in his days, the executive did not depend on it, yet he made the most of it. His searching interpellations, incisive resolutions and trenchant criticism kept the executive on tenterhooks. His Swarajist—Congress Legislature Party made him a Secretary for many years. In this capacity he worked with his colleagues such as Satyamurti for a long time. He served on several committees of the Legislature competently. At the same time he was active in his own Province and for a time led its destinies. He was a partyman, but did not always toe the party line blindly. In the interest of the Country, as he thought best, he would resign his high office and go it alone, even at the time courting unpopularity. He vindicated his position when he was taken back in the party late in his life. He had his frustrations, but that did not daunt him. He lived in his life the eternal principles of the Bhagavadgita which had been all along so dear to him. In allowing me to pay my tribute to this noble son of India, the Utkal University and Pandit Nilakantha Smriti Samiti have done me great honour for which I express my heartfelt thanks to them.

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