

Wednesday, 13th November, 1946

COUNCIL OF STATE DEBATES

(OFFICIAL REPORT)

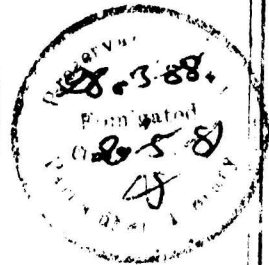
VOLUME II, 1946

(7th November to 12th November, 1946)

TWENTIETH SESSION

OF THE

FOURTH COUNCIL OF STATE, 1946



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COUNCIL OF STATE.

Wednesday, 13th November, 1946.

The Council met in the Council Chamber of the Council House at Eleven of the Clock, the Honourable the President in the Chair.

MEMBER SWORN :

The Honourable Sir Pheroze Kharegat (Agriculture Secretary).

BILLS PASSED BY THE LEGISLATIVE ASSEMBLY LAID ON THE TABLE

SECRETARY OF THE COUNCIL : Sir, in pursuance of rule 25 of the Indian Legislative Rules, I lay on the table copies of the following Bills which were passed by the Legislative Assembly at its meeting held on the 12th November, 1946, namely :—

A Bill to provide for the continuance during a limited period of powers to control the production, supply and distribution of, and trade and commerce in, certain commodities.

A Bill to make provision for the constitution of a special police force for the Chief Commissioner's Province of Delhi for the investigation of certain offences committed in connection with matters concerning Departments of the Central Government, for the superintendence and administration of the said force and for the extension to other areas in British India of the powers and jurisdiction of members of the said force in regard to the investigation of the said offences.

DEATH OF PANDIT MADAN MOHAN MALAVIYA

THE HONOURABLE THE PRESIDENT : Honourable Members, I presume you must have all heard with profound grief and sorrow the death of one of our most illustrious citizens, the late Pandit Madan Mohan Malaviya. He was a national figure and he is now dead in the zenith of popularity which few politicians have attained in this country. His life was a remarkable and unselfish life, as we are all aware and many of you know how strenuously for many years he has worked for the good of this country. I had the privilege of working with him for over 20 years and I was associated with him in many important committees and bodies, including the Round Table Conference, and I shall just say a few words regarding his great work which was performed by him in India. His life from the earliest period was very exemplary and worthy of emulation by young citizens of India. He did remarkable work as a youngster. He first rose from a very humble position to one of the highest positions in the affections of the people of this country. He has got a nation-wide reputation ; not only nation-wide, but he had also a world-wide reputation. He started life as a school master, but subsequently exchanged, as many great men have done, for journalism ; and after working as a journalist for some years he took law and obtained his degree, and though in a few years time he acquired a status and position at the Bar, he still did not like to continue the profession because his love was for another line, to serve unselfishly the nation and lead a political life, though he was to be a great loser pecuniarily. His first activity after he left law was to join the National Congress in 1886 and you are all aware what a great and ardent follower of the Congress movement he was and what hard work he did for many years and how unselfishly he exerted for the good of the country, at least for the advancement and progress of India towards independence and freedom. In addition to his work, he was a member of the Legislative Council of his Province and did remarkably good and useful work there. As you are all aware, he became so famous in the national cause that he was called upon twice to preside over the

[The President]

National Congress which he did with good grace, with great knowledge and with public approbation. After he had done this national work, he had the good fortune in 1920 to be elected as a member of the late Imperial Legislative Council and in that body I had the good fortune to come in contact with him and then we worked together from 1920 for nearly 20 years. In the Imperial Legislative Council he was a most prominent figure. At that time we had not many parties in the House. There was one party, the party of opposition and he fulfilled that great trust with infinite ability, skill and independence which became the talk of the whole of India for years together. We found him a great and fearless critic of Government, an opponent in many ways of Government business, and though I co-operated with him on some occasions I had also to differ from him in much of his work but at the same time with the knowledge that no great politician has ever sat in the Legislative Council of India who did such immense good work for the country as the late Pandit Malaviya. You are all aware of the great work, his remarkable speeches on the Press Act, on the Seditious Meetings Act and also on the Rowlatt and the Indemnity Acts. He was the man of whom everybody was afraid of in the Legislative and Imperial Councils and what he spoke was to the point. All his opposition was to the point and remarkably well put and at the time he earned the approbation of the non-official members as well. I cannot go into the whole history of his legislative work because I have no time to do so. I who was personally acquainted with him and worked with him know in what directions his main activities lay and with what ability and skill he performed his duty as a citizen of India. But, Honourable Members, the great work which remained yet for him to do was started by him in 1919 and that, as you are all aware, was to lay the foundations of the Benares Hindu University. That is a living monument to his great work in the country. Through his influence he collected several crores of rupees and laid the foundations of that great University on proper footing and not only he did that but he dedicated himself and his life to the work of that great University. Many of you, at least the people of the United Provinces, are aware of the great work he did as Chancellor and Rector of that University and till his death he was an active member, and always endeavoured for the progress and advancement of that great University which occupies a premier position in India today.

The Government even was aware of his great ability, his great independence, his fearlessness when they called upon him to attend the Round Table Conference in 1931 and I myself was associated with him in that Conference in London and I can tell you of the great work which he did even in that Conference. Though he had abandoned the profession of law he still was a constitutional lawyer of great eminence. At the 1931 Round Table Conference we had to discuss many important questions of constitutional law and he was by the side of another great lawyer, politician, and legislator like Sir Tej Bahadur Sapru—and he was his righthand man—and he and Sir Tej Bahadur Sapru led the whole discussion on the question of constitutional laws which was not only admired by the other members of the Round Table Conference but which led in a way to the advancement of this country on constitutional lines and we owe to him and also to Sir Tej Bahadur Sapru for leading the Round Table Conference in all directions which have contributed to the fulfilment of the ambition of this country in the matter of acquiring independence.

Honourable Members, I do not wish to detain you much longer because although I can speak much more about his great qualities, of his independence and about his national love, but the time at my disposal is not enough to do justice to a man of such national importance as the late Pandit Madan Mohan Malaviya. I hope and pray that Providence may rest his soul in peace.

Honourable Members, I am sorry to tell you that I feel it my duty to adjourn the House today and not do any work as a mark of respect to his memory. After many of you who are also desirous of speaking have paid tribute to his memory I shall adjourn the House to the next day.

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House): It is under the gloomy shadow of a very sad news, as you have pointed out, that we have met today. A great figure from the Indian scene has passed away. Not only a great politician and a great Parliamentarian but a great educationist and a great social

reformer has passed away. The record of public service of Malaviyaji is so remarkable that it can compare favourably with the record of any great man that we know in the recent history of India. No doubt, there are people who differed from him on politics and I would submit, Sir, that I am one of those, but all the same his ability, his public spirit and his talents and all that he did for India are things for which even his opponents had very great regard and respect for him. It is really very unfortunate that at a time when his services were needed more than ever, he has been snatched from us by the hands of death. He had retired from public life on account of his ill-health for some time, but all the same from the place where he used to be, occasionally, whenever there was need, he gave advice which in many cases had been very useful for the public men who wanted to serve India.

On behalf of this side of the House, I thoroughly support, Sir, the expression of grief and sorrow that you have made today and I would request you to convey to the members of the bereaved family our sense of grief and sorrow on the sad death of that great man of India. ■

THE HONOURABLE PANDIT HIRDAY NATH KUNZRU (United Provinces Northern : Non-Muhammadan) : This day is perhaps the saddest day in our life Pandit Madan Mohan Malaviya had been unable for many years, owing to failing health, to take an active part in the public affairs of this country, but his death has nevertheless given a profound shock to all those who valued his work and who realised how necessary it was that a man with his outlook and spirit should be with us at the present time. You have, Sir, spoken at length with regard to the work that he did. You have left very little for anybody to say on the subject, but I may perhaps add that the country valued him not merely for his work but for the spirit in which he carried it on. For 60 years he devoted himself to the national cause with a sincerity and selflessness which must be rare in the annals of any country. As you have told us, though he became a lawyer, he never seriously devoted himself to his profession. His interest in public life and the advancement of his country was so great that he could not persuade himself to devote all his time and talents to his profession. The work that he did is of such magnitude that it is not possible for us to realise its greatness just now. There have been many men who have served the country unselfishly during the last 60 years; but among the older public men Pandit Madan Mohan Malaviya and Mr. Gokhale, appeared to the feelings of their countrymen in a way in which scarcely any other public worker did.

I was closely connected with him and it is therefore not possible for me to refer to the glorious life that he lived without the deepest emotion. I feel as if I had lost today one who had served as a beacon light to me and who took the utmost interest in guiding my footsteps lest I should follow a wrong path. But it is not of my personal connection with him that it would be appropriate for me to speak on the present occasion. I cannot find the words needed to describe my admiration for the lofty life that he lived and the great example that he has set both to his contemporaries and those who will come after him. Even when stricken by illness and unable to take an active part in public affairs, his interest in all that concerned the advancement of the country remained as keen as ever. I met him only two or three months ago. The condition of his health was such as to give rise to serious anxiety, but he spoke to me for half an hour about the future of the country he loved so dearly and the place that it should occupy among the nations of the world.

There are few men in the history of this country who can be mentioned in the same breath with Pandit Madan Mohan Malaviya. I feel that to think of him is to set aside all selfishness and devote one's life to the service of one's fellowmen. It will be long before our countrymen can set eyes again on a man like Pandit Madan Mohan Malaviya, a man whose life was one of dedication, who never harboured bitter thoughts or feelings against anybody and who was ever ready to forgive those who had tried to injure him. He was too great to nourish a feeling of resentment against the small-minded persons who tried to besmirch his reputation or belittle his work. He felt that his work spoke for itself, and that the only way in which he could silence his critics was to continue in the path that he had chalked out for himself when he was barely twenty years of age. May our country show its gratitude to Pandit Madan Mohan Malaviya by keeping alive his memory and producing men who will

[Pandit Hirday Nath Kunzru.]

keep up his traditions and devote their lives in a spirit of devotion and unselfishness to the service of both their countrymen and their fellowmen. I say, of their fellowmen, because, though by his work Pandit Madan Mohan Malaviya might be judged to have been a patriot alone, yet those who knew him realised that he was in his heart of heart an internationalist. He did not stand merely for the greatness of his own country; as are saturated with the ancient Indian spirit of universalism, he stood for the freedom of all suppressed nations, and for the creation of a state of affairs in which people of different nations would meet one another as brothers and contribute to the uplift of humanity as a whole. It is that we mourn today the passing away of such a man, and I am sure that the members will unanimously approve of your decision to adjourn the House as a mark of respect to the memory of this remarkable man.

THE HONOURABLE MR. G. S. MOTILAL (Bombay: Non-Muhammadan): Mr. President, the demise of Pandit Madan Mohan Malaviya has removed from our midst a veteran Congress leader of the highest rank. As you have remarked, he joined the Congress and attended its second session in Calcutta and nourished its tender plant from its infancy until he saw it growing into a majestic tree. His advanced age alone compelled him to be less active in public life but he has a long record of devoted and sincere public service which few can equal. Sir, you knew him as your colleague in the Legislature for a number of years and have spoken of his great qualities. He was the contemporary of the greatest men of India in those days. He was one of the builders of the Indian nation. He inspired the youth of the country with the high ideals which he cherished and by his exemplary and saint-like life and character which he combined in himself. Sir, he was a builder of institutions. In his own Province there are a number of institutions which were set up in those days which owe their origin to Pandit Madan Mohan Malaviya's inspiration. Pandit Motilal Nehru once said that he was the premier leader of that Province. I know, Sir, that whenever he came to Bombay, there was a stream of visitors. There was something magnetic in his life, in his personality. His was indeed a unique personality. He attracted high and low, old and young. They all respected him and held him in high veneration. Peasant and Prince joined in paying homage to him most spontaneously. I was a witness to the scheme of affection which Dadabhai Naoroji bestowed on him when he called on him some years ago at Versoba. He was held in similar respect by all leaders in the public life of this country, whether they agreed with his politics or not, whether they agreed with his views or not. His was such a pure soul. He wanted to serve India in order to serve humanity. He was a lover of humanity. He was not a narrow-minded person at all. Sir, as I said, he was a builder of institutions. The Hindu University is a towering monument of his work and devotion. As a lawyer of great ability he would have had, if he had desire a very lucrative practice. He would have earned a lot of money. But that was not to his taste. His ideal was that of the greatest men and that was the service of humanity, the service of his country. He gave his all to that noble work. The country today is poorer, but his grateful countrymen will remember him and his work for a number of years. His inspiring and exemplary life will serve as a beacon light. Many persons, particularly those living today in his Province, would readily admit that they had drawn inspiration from his life, from his teachings, from his character, from his actions and work. It is also a personal loss to me. It is not a loss only to the members of his family. He has a very large family indeed. He looked upon the whole of India as his family and the whole of India as his family is mourning his death today. After all, a man is given only a certain number of years to live. He has lived a very rich life indeed, full of devotion to his country and our hearts go him. We all appreciate that you are adjourning this House as it is the desire of every Member of this House that it should be adjourned as a mark of our homage to the memory of that great and departed leader.

*THE HONOURABLE SAIYED MOHAMED PADSHAH SAHIB BAHADUR: (Madras Muhammadan): Sir, by the demise of Pandit Madan Mohan Malaviya a great name has passed into the history of India. That illustrious son of India belonged to that noble band of public men who had dedicated themselves completely to the service of their country in the effort to serve humanity. Pandit Madan Mohan Malaviya

* Not corrected by the Honourable Member.

served to his very last moment. Even after he retired from public life he continued to serve his country and humanity zealously, unceasingly and passionately. Sir, he was a man of versatile ability, a veteran educationist, a profound scholar, one who had the talents for becoming a very eminent lawyer, and one of the greatest orators of India. Sir, as has been observed by you and by my Honourable friend Raja Motilal, Pandit Madan Mohan Malaviya would have become one of the foremost lawyers of his country if he had only wished to do so. But his love for the service of mankind and service of his fellow-brethren prevented him from taking to that profession and leading a life of plenty and ease. As has been observed by my Honourable friend Raja Motilal, his ardent desire was to serve his people. One of the great services that he rendered was that he very much inspired the life of the youth in this country. Not only by his teachings, by his precepts and preachings did he try to mould the character of the youth in this country. He also set a noble example to them by his complete simplicity and noble character. Sir, his love for education and his ardent desire to see that the youth in the country had proper education and training has been epitomised by the Benares University of which he was the distinguished founder. Sir, the record of his service is so numerous and so big and the qualities of his head and heart so great that it is well nigh impossible to make even a passing reference to them in the brief remarks that one has got to make on an occasion like this. I would therefore conclude my observations by appreciating the decision that you have come to that this House do adjourn as a mark of respect to his memory. On behalf of my Party I request you to convey our feelings of sorrow and grief at the death of Pandit Madan Mohan Malaviya. Even though he had died full of years and full of honours, still we would have wished to see that he had lived for a few years more at a time like this when people of that broad outlook and popularity are so very much required in this country.

THE HONOURABLE MR. M. N. DALAL (Bombay : Non-Muhammadan) : Sir I join in the well deserved tribute paid in such felicitous terms by you to the memory of this departed leader and statesman Pandit Madan Mohan Malaviya. It is needless for me to recount at this stage the great services he has rendered to this country as they are yet fresh in our memory. He was respected and held in great esteem by all Political Parties, sections and communities and in the death of this veteran leader we have lost his shrewd and sagacious counsel which will be deeply missed. He has left in our hearts a void which will be very difficult to fill for a number of years to come. I suggest, Mr. President, that this motion of condolence expressing our deep sense of regret and condolence be conveyed to his bereaved family.

***THE HONOURABLE RAJA CHARANJIT SINGH (Nominated Non-official) :** Sir, I wish to associate myself with the expression of grief and sorrow at the loss which India has sustained by the death of the late Pandit Madan Mohan Malaviya.

THE HONOURABLE MR. J. M. B. GIBBONS (Bombay Chamber of Commerce) : Mr. President, I had not myself the privilege of personal acquaintance with the late Pandit Malaviya, but the details of his illustrious career and the lifelong services which he rendered to India are well known to me, as indeed they could not fail to be to anyone who has spent any time at all in India. I wish therefore, Mr. President, to associate myself whole-heartedly with the sentiments of sorrow now being expressed at the loss of this great national figure.

THE HONOURABLE NAWABZADA KHURSHID ALI KHAN (Nominated Non-official) : Sir, I fully associate myself with the sentiments of sorrow and grief at the death of Pandit Madan Mohan Malaviya. Although I had the privilege of meeting him only on a few occasions, he was a friend and colleague of my father in the old Imperial Legislative Council for many years and I always held him in the highest esteem.

***THE HONOURABLE MR. M. THIRUMALA ROW (Madras : Non-Muhammadan) :** Sir, I entirely associate myself with the feelings of sorrow that have found expression in this House at the demise of a distinguished leader of this country, Pandit Madan Mohan Malaviya. He was one of those early band of great men that had a clear

* Not corrected by the Honourable Member.

[Mr. M. Thirumala Row.]

vision of the shape of things to come with regard to the political stature of this country. In the year 1885 when the Congress was first thought of to be organised he was one of those English-educated few who had taken courage to tell the masters of this country what was best in the interests of this country. Allahabad, Sir, is situated at the confluence of two mighty rivers the Jumna and the Ganges. (*the Honourable Mr. G. S. Motilal* : Say Ganga) I am sorry—at the confluence of the Ganga and the Yamuna and it has given great leaders to this country down from Bishan Narayan Dhar, Ajudhya Nath, Madan Mohan Malaviya, and Motilal Nehru. These gentlemen have remained plain misters to the end of their lives and never were they cowed down by the blandishments of the foreign Governments in the shape of titles or patronages. They have shown and upheld a very high standard of independence in the conduct of their political life which is emulated by the succeeding generations. But, Sir, like all pioneers of freedom movement it was not given to them to enjoy the fruits of their labours of their lifetime. Pandit Madan Mohan Malaviya the late Mr. Tilak, Lala Lajpat Rai and Pandit Motilal Nehru all had to plough a lonely furrow in the sands of Indian Politics without commensurate results for the sacrifices they had made. At a time when we are on the very threshold of far-reaching changes in the politics of our country Pandit Malaviya might have been spared a few more months to see the emergence of this ancient land as a full fledged Indian nation ; that satisfaction was not vouched to him but he has gone away on the eve of great changes in this country. He was one of those rare souls that combined patriotism with religion. Religion is not associated with Malaviya in the narrow sense of bigotry. He had upheld Hindu Dharma which meant service of humanity is the service of God and tolerance and a spirit of live and let live are the chief tenets of a religion that has had its roots in times immemorial. He has upheld those tenets and has tried to blend those high ideals of religious life into the day to day career of a politician. Sir, his career as a member of the Legislative Assembly is an example in erudition, in eloquence and in statesmanship to all those that can follow him. I am reminded in this connection to mention that we have lost one of the greatest exponents of Parliamentary practice and capacity. Mr. Bhulabhai Desai, whom we have recently lost ; but we had no occasion to mention about him here in this Council on account of a technical difficulty that he did not belong to this House. It is in the fitness of things that I should mention his name also in this connection and associate this House with the demise of the two great men, Madan Mohan Malaviya and Bhulabhai Desai.

THE HONOURABLE THE PRESIDENT : Honourable Members, I will convey your sympathy to the bereaved family.

Before I adjourn I should like to consult the Leader of the House as regards the date for the next meeting. I think there are 4 or 5 Bills which have been already laid on the table which we can dispose of on the 15th ; also we can dispose of all the questions marked for today on that day.

THE HONOURABLE MR. A. R. NISHTAR (Leader of the House) : Yes, Sir. I agree.

THE HONOURABLE THE PRESIDENT : Honourable Members, have you any objection ?

HONOURABLE MEMBERS : No objection.

The Council then adjourned till Eleven of the Clock on Friday the 15th November 1946.