

Rahimtulla Mohamed

Sayani



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RAHIMTULLA MOHAMED SAYANI.

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A SKETCH OF
His Life and Career



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RAHIMTULLA MOHAMED SAYANI.

A fact which strikes even the casual visitor to Bombay is the remarkable position held, and deservedly held, by the Parsee Community in that City. It is a singular proof of the many blessings of education and of the aptitude to assimilate Western civilization. Just as the Parsee Community may rightly be called the leading native community of Western India, similarly the Khoja community may well be regarded, at least in some respects, as the foremost section of the Mahomedan community of the Bombay Presidency. If we analyse the causes of this unique position attained by this small community we find them to be the same that have raised the Parsee community to its present level, namely, energy and enterprise, education and self-reliance and last, but not least, a catholic spirit of charity and brotherly feeling towards the sister com-

munities. The reason why we have referred to this matter is that the subject of our sketch, the late Mr. Sayani, not only belonged to this community, but was one of those pioneers who, by precept and example, instilled the spirit of progress in it. That this was no easy task we shall see later on. For in the social world as much as in the physical world, the fact is true that it is much more difficult to set a heavy ball rolling than to continue its triumphant progress subsequently. All credit is therefore due to men like Tyabji and Sayani and the founder of Aligarh College and a few others, for laying the foundation of education and progress in the great Moslem community of India. The mantle of these veteran pioneers has now fallen on younger but worthy shoulders, and it may be hoped that before many years are over the Mahomedan community will not be behind other Indian communities in matters of education and social progress.

Mr. Rahimtulla Mahomed Sayani was born in Bombay on the 5th of April 1847. His grand-father Sayani was a respectable

merchant in the Cutch State, from which many of the ancestors of the Khojas have emigrated to other parts of British India. Through vicissitudes of fortune worse days came on the family and one of the many difficulties encountered by Mr. Sayani during his school and college days was the necessity of struggling against diverse adverse circumstances. Perseverance and steady industry which were his prominent characteristics kept him up, however, and when at last he entered his profession, his patience was amply rewarded. But this is the case with many students and want of material prosperity was not the chief obstacle encountered and successfully overcome by the late Mr. Sayani. Education has spread rapidly among the Khojas in these days, and whether in public life and public service, or in the liberal professions, the Khojas are to be found in good numbers. But fifty years ago the case was quite the reverse. Higher education was absolutely unheard of and even primary education existed in a very, very limited circle then. In fact two incidents of Mr. Sayani's school and college

life, trifling as they are by themselves, show well the condition of the community and their attitude towards education in those days. Once when he was proceeding to the Elphinstone School he was followed by a band of ignorant Khojas who, with shouts of "Infidel, infidel" assaulted him with stones. Subsequently, when failing eye-sight obliged him to put on glasses, he was again assaulted and followed with shouts of derision in the street! This often made it positively dangerous for him to walk alone in the streets. Conditions have fortunately changed entirely now and education has made a solid progress in this community.

When he passed his matriculation examination, young Sayani was asked by his father to discontinue further studies. But in spite of great discouragement and even opposition on the part of friends and near relatives, he decided to take higher education. By doing this he even incurred the displeasure of his father. But the blessings of higher education were soon made patent to the

aged parent and he was easily persuaded to approve of the step taken by his son. After an eminently successful career at Elphinstone College Mr. Sayani passed his M. A. Examination in 1866. Owing to a technical difficulty however, he did not obtain his degree till 1868. He was not only the first Mahomedan who had obtained this honourable degree but no Mahomedan obtained it during the next twenty-five years. This fact throws an interesting side light on the backward condition of the Mahomedan community generally even during the closing years of the Nineteenth century.

During his college career Mr. Sayani was the recipient of many prizes and scholarships, and was eventually appointed a fellow of the college. His intimate familiarity with English literature enabled him to teach English successfully for the next four years. He was a favourite pupil of that distinguished scholar, Sir Alexander Grant, who was the Principal of that college, and who, continued to watch sympathetically the rapid rise of his former

young pupil, even after retirement to his home in Scotland.

In 1870 Mr. Sayani passed his LL. B. Examination and was within the same year appointed a Justice of the Peace and a Fellow of the Bombay University. Mr. Sayani was not only one of the foremost members of the Senate but also held various offices. He was a member of the Syndicate, a member of the Board of Accounts (of the University), one of the Trustees of the premier College (Elphinstone) of the Presidency, and, in his younger days, was frequently appointed an examiner by the University. As the senior member of the Syndicate he often had the honour of presiding over meetings of the Syndicate and the Senate especially during the latter days of the Vice Chancellorship of the late Justice Telang, who on account of ill-health was frequently absent. It may be incidentally remarked that the Syndicate, although a very small body at this time, contained no less than three judges of the High Court. Had he been spared a few years longer, probably Mr. Sayani

should have been the first Mahomedan Vice-Chancellor of the Bombay University.

Mr. Sayani's professional career began in 1878 when he passed his Solicitor's examination through the firm of Leath and Leath. This firm is now represented by the highly respected firm of Messrs. Crawford and Co. He became a partner of the late Mr. Cumroodin Tyabji who was the first and only Mahomedan solicitor at that time. He was the elder brother of that distinguished lawyer and citizen, the late Justice Badruddin Tyabji.

After Mr. Tyabji's death he joined two other eminent solicitors in forming the firm of Payne, Gilbert and Sayani. Through the retirement of the two senior partners he became at the time of his death the senior member of the flourishing firm of solicitors styled as Messrs. Payne, Gilbert, Sayani and Moos. His untiring energy and many-sided activities are evidenced by the fact that, in spite of great professional work he found time to work on the Board of Directors of various commercial companies, Technical Institutes, and other public

bodies. This brings us to the most important part of his life-work especially from the public point of view, namely his public life.

Mr. Sayani was first elected to the Bombay Municipal Corporation in 1876. From that year to the time of his lamentable death in 1902 he was not only the leading Mahomedan member but one of the foremost members of that body. He was subsequently elected a member of the Town Council (now called Standing Committee) on which he served usefully for many years. His grasp of public questions, his disinterested zeal for the public good, and his unquestioned impartiality, always earned for him a patient and even respectful hearing. To mark their appreciation of his services to the city his colleagues elected him president of the Corporation in 1888. As might have been expected his tenure of Chairmanship was marked by a courteous but firm adherence to the rules of business and suppression of irrelevant discussion, which formerly used to cause waste of public time occasionally. The esteem in which he was

held by the members, both European and Indian alike, is illustrated by an incident which occurred during his presidentship. A proposal was unanimously brought forward, suggesting that the President of the Corporation be styled the Lord Mayor of Bombay and that he be invested with the golden badge and chain of office, like the Mayor of London. On Government being approached with this view they negatived the proposal for certain reasons. But the fact that this was the first and as yet, the last occasion on which such a proposal has found general acceptance, shows in no uncertain manner, the high regard in which Mr. Sayani was held by all classes of the community. It may also be pointed out that he was the first Mahomedan who obtained the high honour of the Civic chair.

In 1874 a Commission was appointed in order to recommend proposals with a view to amend the law relating to the Khojas. This community being governed partly by Mahomedan Law and partly by Hindu Law much confusion sometimes used to arise. The late Justice Sir

Maxwell Melville, Judge Spencer, and Mr. Sayani, were appointed members of this Commission. Afterwards at the suggestion of Mr. Sayani H. H. Aga Alishah and three other prominent Khojas were added as Members. For his services on this Commission Mr. Sayani was formally thanked by the Bombay Government and received the coveted privilege of *Private Entree* to Government House.

In 1885 Mr. Rahimtulla Sayani became the first Mahomedan Sheriff of Bombay. Genuine pleasure was felt at Government conferring this unique honour on a leading Mahomedan like Mr. Sayani, and he received a large number of congratulatory addresses from all parts of the Presidency.

Amongst the tokens of appreciation was a beautiful painting presented to the Khoja Reading Room and Library of Bombay in commemoration of this event. This painting constantly reminds posterity of one who was undoubtedly the chief founder of the educational and social progress of the Community. This library is the first and only one

of its kind in the Khoja Community. It was largely due to the zealous assistance of Mr. Sayani that this library has been able to reach its present prosperous condition from a very small beginning. It has had its full share in encouraging education amongst the members of the Khoja community, and in providing a store of intellectual enjoyment to the rich and poor alike. From its foundation to the date of his death Mr. Sayani was the president and a zealous supporter of this useful institution.

It may be said without exaggeration that almost all the institutions of organized philanthropy (among Khojas) that came into existence during the thirty years of the public activity of the late Mr. Sayani were either directly or indirectly due to his efforts. Urged by his shining example, many generous Khojas have come forward to establish charitable and educational institutions of every kind. The Khoja community is second only to the enlightened Parsee community in this respect. But the establishment of such institutions on a sound basis, and their progressive develop-

ment may largely be traced to the versatile genius of the subject of our sketch.

Mr. Rahimtulla Sayani was first appointed a member of the Bombay Legislative Council in 1888. He was the first Khoja gentleman who obtained this high honour. His single-minded devotion, and exceptional grasp of public questions soon obtained for him a leading position in the Council and instances have happened of meetings of the Council being postponed to enable him to be present. In order to illustrate his views on burning questions of those days we shall quote here portions of some of his speeches delivered in the Council and elsewhere. In 1893 Mr. Sayani was called upon to preside over the Provincial Conference held at Ahmedabad. "The unanimous action of the Conference in calling the Hon'ble Mr. Sayani to the chair proved to demonstration that so far at any rate as the educated and influential people of the various communities were concerned, there was to be no racial distinction, and that they were welded together into one

community with common aims and aspirations for the advancement of the common interests of the various races inhabiting the country."

On the conclusion of the president's address, a letter purporting to be from the Secretary of the Anjuman-i-Islam of Surat to the effect that that body was against the movement was placed in the hands of the President. The President read the letter to the assembled delegates with the following pertinent remarks:—

The Anjuman did not assign any reason for its opposition to this movement and such simple assertion as had been made did not become the prudence or position of any properly constituted body. Had they, and even now if they would, come and discuss with the conference, their views would receive every attention, and should they be in a minority however small, due regard would be paid to the opposition of the Surat Anjuman who put themselves forward as representing the Surat Mahomedans. Whatever the Surat Anjuman might say, this much was certain that their brethren of the Bombay Anjuman, who were respected both by the people and the Government, had always been loyal supporters of the Congress and their President who had not long ago presided over the National Congress.

When these facts became known to the Mahomedans of Ahmedabad they spontaneously sent a letter influentially signed to the President of the Conference dissociating themselves from the Surat Anjuman and

expressing their warm approval and sympathy with the Conference cause. During the course of their letter they said as follows :—

We.....give expression to our approval of your work in connection with the good and benevolent object of this conference. We fully understand that the object of this your movement is not in any way disloyal towards Government and is calculated to profit the Hindus as well as the Mahomedans.

The inaugural address of the President was marked throughout by wisdom, moderation and oratorical excellence, and contained an eloquent and judicious appeal for concord between the Hindus and the Mahomedan communities. He (i. e. Mr. Sayani) also took the opportunity of giving an accurate and clear definition of the functions and objects of the Provincial Conference in the following terms :—

A Provincial Conference consists of representatives from various parts of a particular Province. It deals with administrative matters affecting that particular province. It considers how far these matters of administration are of a beneficent or injurious character; and it also considers important political matters affecting the whole of British India. The latter are recommended to the annual convention known as the Congress at which representatives from all parts of the country assemble for deliberation. Those topics which are peculiar to a province are dealt with by the Conference of the Province itself just as we have met to-day. The Provincial assembly meets some time before the National Congress. Following the broad methods of the National Congress,

it concentrates its attention on Political matters alone. It does not consider the material or the moral welfare of the people of the province except so far as they directly affect the political progress of the province. It meets annually at such places in the provinces as may be previously determined upon. It will be seen, therefore, that like the National Congress it is a political body, but its scope and territorial limit are more limited. That in matters affecting the political welfare of the whole of the country it is an auxiliary body to the Congress. That in matters affecting the political welfare of its own province it is an independent body.

The good done by representative bodies like the National Congress and Provincial Conference is now recognised on all sides. There was a time, however, when they were sometimes sneered at by certain people. Referring to the ironical remarks made about the National Congress in connection with the Bombay riots which took place a few months before the holding of the Conference Mr. Sayani said that

it was lately stated, in jest of course, that in Bombay there was no necessity of calling out the Military—the National Congress could have met at Pydhownie, passed a resolution condemning the riots, and the rioters would have dispersed without any further ado. I admit that such a feat could not have been performed either by the National Congress or by the Provincial Conference, the National Congress or by the House of Parliament itself. For if nay, even by the power and influence of deliberative assembly such be the power and influence of coercion Bills, lies, who would have ever heard about coercion Bills, and all about Ulster and Belfast and many other political events besides of the last seven years in Ireland.

But such things would have been impossible if there had been a perfect harmony prevailing amongst all the members of both the large communities living in Bombay. That the contagion did not spread to the higher classes was due to the harmony prevailing among them. It is necessary to educate people in order to prevent them from resorting to disorderly behaviour.

When Mr. Sayani was appointed a member of the Bombay Legislative Council by H. E. Lord Reay in 1888, a large meeting of Khoja gentlemen, and Cutchi Hindus and Mahomedans was convened to give him an address. The reply given by him to this address contains passages which show his wisdom and foresight. The need of Commercial education is now generally felt and it is likely that before long it will find an honourable place in the University curriculum. Twenty-two years ago, when Mr. Sayani made that speech, scarcely any one bestowed a serious thought over this subject. The meeting was presided over by Mr. Currimbhoy, now Sir Currimbhoy Ebrahim, Bart. During the course of his reply Mr. Sayani said as follows :—

It is encouraging to any one endeavouring to do his duty, to find that his community is taking a kindly interest in his endeavours, and it is gratifying to him to

note that any encouragement given to him by Government has the approbation of his community. It is no doubt true that one must do his duty not for the sake of encouragement or approbation, but it is also equally true that although such encouragement and approbation ought not to be the motives, still when they are spontaneously given, they are most welcome, in as much as they tend to confirm that one is actually doing his duty, and is not merely led into believing that he is doing it. Hence it is that the approbation of one's friends, one's club, one's community or one's fellow citizens is extremely gratifying. Each of us has, according to his circumstances, his little realm, his circumscribed circle, within which he wishes to rise in importance; and just as a man of rare and exceptional powers, or a soldier of rare military ability desires the approbation of the whole world, another man in humbler circumstances desires the approbation of the community of his small village. It is human nature, all over the world the same. Reference is made in the address to my exertions made to pass the several examinations in the school and at the college. It is a very old saying that there is no royal road to learning, and the rich and the poor and the high and the low must all alike work hard to pass the examinations. Notwithstanding, however, the necessary toil and trouble I had to undergo in passing the examinations, when I look back upon my past life, I cannot help thinking that the best portion of it was that I passed at the school and at college especially the latter. The reference to education made in the addresses reminds me of my oft-repeated *exhortations* to my community to exert their best endeavours to educate their children both boys and girls. The Mahomedan Community has already too long neglected education in silent apathy, and I am glad to note that they are now awakening to a sense of the necessity of acquiring education, and I trust that the near approaching ceremony of laying the foundation stone of the Madrasa-i-Anjuman-i-Islam by H. E. the Governor will be a precursor of raising many more Musalman educational institutions,—throughout the length and breadth, not only of this Presidency, but also of the whole of India.

Proceeding further, Mr. Sayani exhorted his hearers to take more active part in civil life, urging it as a duty upon all citizens. Mr. Sayani also emphatically pointed out the duty of all Mahomedans to contribute a portion to charity, and that this may well take the form of educational benefactions. A proof of Mr. Sayani's far-sighted wisdom is furnished from what he then said about mercantile education. During the last two years much interest has been aroused in the benefits of Commercial Education. But twenty-two years ago Mr. Sayani may be said to be the only public man in this part of India who held this opinion and had the courage to express it publicly. We quote the following from the concluding portion of his speech :—

I once more exhort you to educate your children to the best of your ability. I am aware that some people are inclined to think that general education, such as is offered by our schools and arts college, is not of very great use to those who are destined to take up the mercantile profession. I must say that I entirely disagree with such ideas. There was a time no doubt in this city when it was not absolutely necessary for a merchant to be an educated man but that time has long since passed away. At present to be a successful merchant, one must necessarily be an educated man, and method, regularity, close observation, calculation, a good stock

of information, adequate acquaintance with the science of political economy and some knowledge of law are as necessary as money and labour. In fact, commercial profession, unlike special professions, embraces many fields of knowledge and the time is fast approaching when not the drones of the family but the very cream of men will alone be considered fit to be called on to be votaries of commerce. The other matter I again wish to impress upon your minds is that you should study our religion. I need not tell you that it is the most beautiful religion in the world. It contains excellent moral precepts, grand and lofty ideas of virtue, forbearance, courage, humility in prosperity, patience in adversity, fortitude in suffering, generosity towards opponents and loyalty to established government.

An address was also presented on the same occasion on behalf of the Hindu merchants of the native town.

In 1896 Mr. Sayani was unanimously chosen the President of the National Congress held at Calcutta. He was the second Mahomedan gentleman selected for this unique honour, the first being the late Justice Budradin Tyabji.

His Congress address was a masterly exposition of the aims and objects of the Congress, and contained a reasoned appeal to the Mahomedans to join that movement. During the course of this speech, after quoting many great Englishmen, he said :—

It will be observed from the above extracts that the people of England, possessing as they do a genuine admiration for their own constitution and jealous as they are for their own liberty, are not the people to view with disfavour the political aspirations of the people of India, aspirations forsooth, which the people of England themselves have deliberately inspired in the hearts of the people of India, by purposely educating them in the English language, by disseminating amongst them English ideals of political life and encouraging them to raise themselves by education, intelligence and integrity, so as to become qualified to occupy positions of importance and trust in the service of Government as also to take part in the administration of the country. Under the circumstances those persons—and I regret to say some such do exist among my community—who imagine that the people of England are at heart against the people of India are certainly doing a great injustice to the people of England. It may be that such wrong thinkers may have led into committing the mistake by the insular rigidity of England and by the stiff and stand off attitude of some Englishmen, and then sometimes rough refusal to budge or bend an inch. But surely such wrong thinkers should not be carried away by outward appearances or by false inferences derived from such outward appearances. If such people will go a little deeper into things, their minds will soon be disabused of these pure delusions. In fact a more honest or steady nation does not exist under the sun than this English Nation; and there ought to be no doubt whatever as to the ultimate concession of our demands, founded as such demands are on reason and justice on the one hand, as on the declared policy and plighted word of the people of England on the other—provided always that the people of India are true to themselves. repeat that there can be no doubt whatever as to these reasonable demands being ultimately conceded.

Referring to the unwillingness of the Moslem leaders to join the Congress movement, Mr. Sayani quoted with approval a

portion of a speech delivered by Sir Syed Ahmed Khan in 1866 at Aligarh :—

Syed Ahmed then urging his co-religionists to give up their apathy said that "if you will not help yourselves, you may be quite certain no one else will. Why should you be afraid? Here am I a servant of Government, speaking out plainly to you in this public meeting. My attachment to Government was proved as many of you know, in the eventful year of the Mutiny. It is my firm conviction on which I have invariably expressed both in public and in private—that the greater the confidence of the people of India in the Government the more solid the foundation upon which the present Government rests, and the more mutual friendship is cultivated between the rulers and yourselves, the greater will be the future benefit to your country. Be loyal in your hearts, place every reliance on your rulers, speak out openly, honestly and respectfully all your grievances, hopes and fears; you may be quite sure that such a course of conduct will place you in the enjoyment of all your legitimate rights, and that this is compatible, nay synonymous with true loyalty to the State, which will be upheld by all whose opinion is worth learning."

Education is now slowly but surely spreading amongst the Moslem population of India, especially from the central inspiring influence of Aligarh. How far this is due to the towering influence of men of the type of Sir Syed Ahmed, Tyabji and Sayani, will be apparent from the following quotation. It is also a portion of the Congress oration delivered fourteen years back by the late Mr. Sayani :—

All who believe in one God and acknowledge the holy Prophet are true believers. The fundamental principles of Islam are few and simple. Islam knows no castes and ought not to have divisions and sub-divisions. Yet we find Islam divided into sects, into innumerable sub-divisions. This is certainly against the spirit of Islam. All true believers are equal. By Musalman Law they can all eat with each other, nay more, they can eat with the followers of the Great Prophets on whom revelation has descended. All Musalmans can intermarry, nay more, Musalman males can marry females from the followers of the Great Prophets. Yet the different sects of Musalmans will not intermarry, even amongst themselves. It is the duty of all true believers to educate themselves, their wives and their sons and their daughters, so as to enable them to know God aright. Yet ignorance is prevailing amongst Indian Musalmans. Musalman females are free. Marriage is a contract in which the husband and wife are parties. Females have independent property. Yet amongst Indian Musalmans there are frequent cases of maltreatment of wives. To be active and to be energetic, to be enterprising and to be fearless has been the characteristic of the Faithful. Yet Indian Musalmans prefer to be indolent and apathetic. Are not Indian Musalmans then, to blame themselves? If the Indian Musalmans once shake off their lethargy and rid themselves of their apathy, if they unite together and love each other as members of the same fold, as brothers of a Universal Brotherhood, mix with each other and intermarry, educate themselves and their wives and children, and meet together and exchange opinions and voice their grievances, and generally endeavour to raise themselves and actively co-operate in the raising of their brethren, they have under merciful Providence as bright a future before them as they had a glorious past.

Proceeding further Mr. Sayani suggested a scheme for raising funds for educational requirements as follows :—

It is stated that there are five crores of Musalmans in India. It is further stated that the average annual income per head of population in India is Rupees twenty-seven. If so, the average annual income of Indian Musalmans ought to be rupees one hundred and thirty-five crores. The Zakat or tax on this income at the rate of two and a half per cent comes to nearly Rupees three crores. Making all possible allowances for those who may be exempted from payment of Zakat and for that purpose reducing it to one-tenth, we can have the splendid annual sum of Rupees thirty lakhs, that is at the rate of one anna per annum per head of Musalmans in India, which is certainly not a very heavy annual payment. If all the Indian Musalmans join together and voluntarily contribute as above suggested, they will thereby be fulfilling one of the main commandments of Islam and thus performing an act of duty. With this magnificent sum schools can be established and maintained, and higher education can be established and maintained, and in such schools education as also food and clothing to students may be given, and there will thus every year be maintained, lodged and educated thousand and thousands of Indian Musalman youths If this system is established, and continued in the course of a few years education will have permeated all ranks of Indian Musalmans, and the condition of the whole body will have become so much improved as to become a matter for admiration.

Mr. Sayani's views as regards the budget debate on the Provincial Councils may prove of interest. It will be seen that he recommends indirectly the system of decentralization which is now gradually being adopted. Speaking in the Bombay Legislative Council on the Financial Statement Mr. Sayani said as follows :—

All who believe in one God and acknowledge the holy Prophet are true believers. The fundamental principles of Islam are few and simple. Islam knows no castes and ought not to have divisions and sub-divisions. Yet we find Islam divided into sects, into innumerable sub-divisions. This is certainly against the spirit of Islam. All true believers are equal. By Musalman Law they can all eat with each other, nay more, they can eat with the followers of the Great Prophets on whom revelation has descended. All Musalmans can intermarry, nay more, Musalman males can marry females from the followers of the Great Prophets. Yet the different sects of Musalmans will not intermarry, even amongst themselves. It is the duty of all true believers to educate themselves, their wives and their sons and their daughters, so as to enable them to know God aright. Yet ignorance is prevailing amongst Indian Musalmans. Musalman females are free. Marriage is a contract in which the husband and wife are parties. Females have independent property. Yet amongst Indian Musalmans there are frequent cases of maltreatment of wives. To be active and to be energetic, to be enterprising and to be fearless has been the characteristic of the Faithful. Yet Indian Musalmans prefer to be indolent and apathetic. Are not Indian Musalmans then, to blame themselves? If the Indian Musalmans once shake off their lethargy and rid themselves of their apathy, if they unite together and love each other as members of the same fold, as brothers of a Universal Brotherhood, mix with each other and intermarry, educate themselves and their wives and children, and meet together and exchange opinions and voice their grievances, and generally endeavour to raise themselves and actively co-operate in the raising of their brethren, they have under merciful Providence as bright a future before them as they had a glorious past.

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Mr. Sayani's views as regards the budget debate on the Provincial Councils may prove of interest. It will be seen that he recommends indirectly the system of decentralization which is now gradually being adopted. Speaking in the Bombay Legislative Council on the Financial Statement Mr. Sayani said as follows :—

In offering a few observations that have suggested themselves to me on a perusal of the Financial Statement and the Budget I take the liberty at the outset of reminding this Council of the discussion which took place this time last year, as to the unsuitability of the time fixed for its discussion. The Council is of course aware of the weighty reasons given by Government why the Budget could not be presented to this Council before it is discussed in the Viceregal Council. The question, however, from the public point of view is very important, and it is urged on behalf of the public that, in as much as all provincial administrations are required to submit their respective Financial Statements in or about January so as to enable that Government to prepare its own Imperial Budget for presentation to and discussion by the Viceregal Legislative Council, about a fortnight before the 31st March, which closes the Financial year, it would be a distinct advantage to the public of the Presidency were the Budget presented to the Council prior to its being submitted to the Imperial Government, so that the Government of India, and the Viceregal Legislative Council may have the benefit of the deliberations of this Council and of the public of this Presidency, and may be enabled to consider it in the light of the criticism offered by this Council, and the Public of this Presidency, and it seems to me the contention of the public has some force in it, for if Provincial Councils are to influence for good the financial management of their respective provinces, it stands to reason that they should have the opportunity of giving an expression to their opinions prior to the Imperial authorities determining what they should allow and disallow in their budgets. Such a procedure would not only give satisfaction to the people but greatly contribute to the confidence of the people in the Government for Financial management.

If however it is practically impossible to place the Provincial Budget before this Council until the Government of India has discussed its own Financial Statement and if it is not practicable for this Government to present its own for discussion until the early part of August, then I humbly submit that the actual and not

the revised figures for the preceding year should be given in this Budget for the sake of comparison.

In the conclusion of his speech Mr. Sayani made an appeal to the Government and the Council to encourage education amongst the Mahomedans by means of scholarships. The figures quoted by Mr. Sayani are noteworthy.

The total population of this Presidency is in round numbers about two crores and seventy lacs. The Mahomedan population is about 44 lakhs or less than 17o/o. The total number of M. A's produced by the Bombay University about 112. Mahomedan M. A's 2. That is about 2 per cent. Total number of B. A's about 1502 Mahomedan B. A's 28 that is about 2 per cent. Total of L. M. & L. M. & S. about 436. Mahomedan L. M. & L. M. S. 10. that is about two per cent. Total of L. C. E. about 312. Mahomedan L. C. E's 2 that is not even one per cent.

At the end of 1896 Mr. P. M. Mehta (now Sir Pherozshah) resigned his seat on the Supreme Legislative Council; the unanimous choice of non-official members of the Bombay Legislative Council then fell on Mr. Sayani. During the course of his two years' term of office several important matters came before that august body for disposal. Amongst them may be particularly mentioned the Epidemic Diseases Act, Amendment of the Criminal Procedure Code and Sedition Meetings Act. It

is scarcely necessary to say that Mr. Sayani brought to bear on these discussions his unique experience, and clear grasp of these questions which earned for him an especial appreciation from H.E. Lord Elgin who was then Governor-General of India. His Budget speeches are also note-worthy. We give below extracts from his speech on the Budget of 1897-98 :—

Coming now to the Financial Statement its most important features are (1) (a) Famine and its ruinous losses and heavy additional burdens and (b) plague and its paralysing effects and (2) renewal of the Provincial contracts. 'The estimates of the contract and the budget estimates of the ensuing years are grievously affected by two dire calamities. The main feature, says the summary, of the Revised Estimate is the loss of revenue and expenditure due to famine; and the revenue forecast of the new year is necessarily in sombre colours. 'The statement is full of constant references to the losses due to the effects of famine,' 'the effects of present scarcity,' 'The amounts provided for famine relief,' 'the stoppage of trade in consequence of plague,' 'the very peculiar circumstances of the coming year,' 'the restriction of programmes by the various local Governments enforced by the great reductions that famine expenditure had made in their available balances,' 'our prospects are for the present marred by the occurrence of wide spread famine and of pestilence,' and it is significantly added that this pestilence is as yet confined within a narrow area, thus implying that gloomy as the prospects are, they may yet be further darkened. Indeed the statement is a perfect tale of woe, and that boasted normal elasticity of revenue so frequently and exultingly put forward in former statements is conspicuous by its absence; the only ray

of hope is that offered by favourable exchange, and that is a mere accident.

Coming to the famine it was pointed out in the despatch by the Secretary of State directing the appointment of the last Famine Commission that it is evident that the protection of the people of India from the effects of the uncertainty of the seasons will constitute in the future no inconsiderable portion of the work of the Government. It is therefore a duty to collect with the utmost care all information which may assist future administrators in the task of limiting the range or mitigating the intensity of these calamities. And the Commission came to the conclusion that all Indian famines were caused by drought, and they expressed a hope that in future famines would be gradually diminished in intensity partly by the more efficient character of the relief given, partly by the extension of the means of communications, and development of internal trade, and partly by that greater preparedness of the people to meet them which grows from thought and resourcefulness, and the accumulation of capital due to a settled and civilized Government. They also said that a main cause of disastrous consequences of Indian Famines, and one of the greatest difficulties in the way of providing relief in an effectual shape, is to be found in the fact that the great mass of the population directly depends upon agriculture, and that there is no other industry from which any considerable part of the community derives its support, and they add the complete remedy of this condition of things will be found only in the development of industries other than agriculture, and independent of the fluctuations of the seasons, that 'with a population so dense as that of India these considerations are of the greatest weight.' They remark that it is not surprising that in a country thus situated material progress is slow. They go on to say 'The protection of India against the consequences of drought so immediately depends in the provision of improved means of communication and the extension of irrigation wherever it is practicable with advantage, that there is a general agreement as to the prudent extension of Railways and canals. They point out that 'at the root of

much of the poverty of the people of India, and of the risks to which they are exposed in seasons of scarcity, lies the unfortunate circumstance that agriculture forms almost the sole occupation of the mass of the population and that no remedy for present evils can be complete which does not include the introduction of a diversity of occupations through which the surplus population may be drawn from agricultural pursuits, and led to find the means of subsistence in manufactures or some such employments. They also make other valuable and important suggestions that need not be repeated here.

Now the most important question at the present juncture arising in the financial statement under discussion materially is, how far have the recommendations of the Famine Commission made for the purpose of 'limiting the range; and 'mitigating the intensity of famine' have been carried out? So far as railway communication is concerned, it must be cheerfully acknowledged that Government has fully adopted the suggestions and taken all possible measures to carry it out to its fullest extent, and Your Lordship has been the staunchest supporter of a most vigorous policy, and the lines which have been already laid in the near future will be amply sufficient for all practical purposes, so far as they are required for conveying grain from the prosperous, to the suffering districts.

As to irrigation the suggestion does not seem to have been received with the same favour as that regarding railways. The Commission regarded irrigation as one of the most important remedies against famine. In fact they speak of Railways and irrigation together, and their reason for so doing is easily understandable. Railways, undoubtedly, render the important service of carrying grain and distributing it wherever it is wanted. But irrigation is capable of rendering a still more important service. It is instrumental in producing and in increasing the produce of grain, and the service, therefore, which irrigation is capable of rendering is in all times, and especially in times of famine and scarcity of vital importance. Indeed so far as famine and scarcity are concerned railways are in a sense only auxiliary

to irrigation works, for if there is no grain in existence, the service of Railways cannot be utilised at all. Further the cost of construction in the case of irrigation, is almost entirely spent in the country and does not therefore go to swell the wealth outside the country, as is to a very considerable extent the case in the cost of construction of Railways. Further the cost of irrigation is cheaper than that of Railways. Moreover, it is exactly in the times of famine and scarcity when all other kinds of revenue, including railway revenue suffer more or less, that irrigation as has been well pointed out in the statement, shows the best advantage and is therefore doubly welcome. It is to be hoped, therefore, that as soon as the hands of Government, are freed from the present exceptional work and anxiety on account of the terrible calamities of famine and plague now unfortunately raging in the country, Government will see its way towards forming and pursuing as vigorous, if not even more vigorous, irrigation policy as your Lordship has for some time past and is now pursuing in respect of Railways.

After referring to the poverty of the Agricultural classes and suggesting the establishment of agricultural banks, Mr. Sayani proceeded as follows:—

I have every hope that Government, humane and enlightened as it is, will do everything in its power to help the present sickly and debilitated population to get out of its present pitiable and miserable position, and under improved conditions to develop its energy now dormant; and to gain its physical and mental strength so as materially to contribute towards the general prosperity of the country, to offer a much wider market to England, and to be a source of strength to the rulers.

I will here refer in passing to the remark lately made by a high authority that there could be no remedy for famine in India. (With all due deference to that authority, I submit that famine in India can be remedied, even

most effectually; in fact a higher authority still has many years ago already observed, depend upon it the true remedy against famine and scarcity is the frugality of the people. The people ought in years of plenty to make money enough to lay up against these times of famine. The people should be placed in a position to be able to exercise frugality. The Famine Commission refer to the accumulation of capital due to a settled and civilized Government, but on the other hand, there are the counteracting elements of a costly foreign agency, the consequential large annual drains from the country, Imperial Military policy with its scientific frontier and constant border wars. It is to be hoped, however, that these counteracting elements will gradually diminish in strength, and also that the labours of the expenditure commission now sitting in England will lead to some tangible relief.

Coming now to the plague, being the other cause affecting the Budget, it will be readily admitted that besides being a most fatal disease, it causes considerable loss of revenue in many different ways, and also tends to paralyse the commerce of the country. It is the interest of Government therefore, to make a careful inquiry into the causes which create or favour the plague and to take all possible measures, to mitigate and check it and prevent its reappearance. It has been observed by Sir William Hunter that the chief cause of apprehension arises from the close connexion of the Black Death in all ages and on both continents (Asia and Europe) with poverty and bad or insufficient food. In fact it is very largely the outcome of poverty. The statistics in Bombay establish beyond doubt, the immunity of the European community in Bombay from this disease and thus confirm the above opinion. It follows therefore that so long as poverty prevails in India plague cannot be eradicated from the country, and herein we have an additional reason for making most serious efforts to improve the condition of the *Rajputs*. Your Lordship recently remarked in another place, 'A University like every other public body, must move with the times. A policy of stagnation in a University as elsewhere would justly be termed a policy of despair.' It is to be hoped

your Lordship's Government will not allow the country to remain stagnant much less to fall back, but will do everything to allow it to move with the times so as to be if not abreast at any rate, within a measurable distance of the nations of Europe.

Referring now to the provision made in the Budget for Railways during the ensuing year, I have already alluded to the recommendations of the Famine Commission. Railways are, moreover, useful in opening the country. The question, however, arises whether in this extraordinary year of plague and famine, and when moneys will have to be borrowed both in England and in India, Railway extension should be temporarily stopped, only to be renewed next year when it is hoped better times will come. The reasons for and against such temporary stoppage seem to me to be evenly balanced; on the one hand a policy when once deliberately adopted should be carried out, moneys can be raised upon advantageous terms, employment will be given to those who on account of famine or scarcity are thrown out of employment. On the other hand the circumstances of the country at the present juncture naturally plead against running into further debt.

Mr. Sayani, speaking about the Provisional contracts, said that the existing system did not favour the progress of internal development or administrative improvement that the apportionment was unequal and the short term settlements were not calculated to inspire a sense of security and certainty.

A far too large a proportion of National income, about two thirds of the revenue, said Mr. Sayani, is reserved to itself for the general work by the Central Government to itself for the general work of the country. Under our present arrangements the Imperial Government has charge of debt, army, foreign relations, railway irrigation works, post-telegraph, mint,

colour prints bespoke an intrinsic artistic quality. It was as if a timid moon, rising in strength, had bathed dark hidden places in a silvery effulgence; the art caverns were new-lit with an, unaccustomed light. Roy Choudhury sensed the profound import of the new light. The Bengal art revival, viewed through the lenses of his scientific training, took on a new aspect. He longed to be back, to return to Abanindranath and share in his glorious adventure.

But Abanindranath would not have him. For days he turned out, the beseeching Ekalavya. Then something happened; the Acharya scrutinised Choudhury's paintings and changed his mind. But the prodigal had to be humoured; he was directed to paint just as he wished, after his heart's desire. From the marriage of Oriental motif and western technique was born the unique child of Choudhury's art; the precocious offspring was dearly fondled. Soon Choudhury became Abanindranath's pet pupil; the cloud was lifted and the elder man forgave the juvenile excursion. Yet, the reclaimed runaway clung with persistent faith to western technique;

with an appropriate licence—Devi Prasad was appointed to teach Western art at the Society's school.

VI

Now Choudhury was seized with a burning desire, common to Indian young men, to cross the seas for 'superior' training at the Royal Academy. His aristocratic kinsmen were scandalised at Choudhury's turning professional artist; born female, he might with equal effect and propriety have elected to turn professional dancer, so far as they were concerned! Had he wished to qualify for the learned profession of the law, they were of course willing to finance the calling of dignified nothing-doing. But art was the gipsy of the professions; you liked the colourful beggar maid, doted in quaint finery and then you flung across the meagre coin of cultured patronage. But the gipsy starved, under-fed and under-clothed—Choudhury smarted. Then began for him a life of struggle and want, of hunger and poverty. Proudly, he threw away a handsome allowance in self-elected privation.

Unfriended, looked down, he paced the streets of Calcutta, that asylum of

through life's battle of buffetings. He draws some unsuspected strength from his inmost being. Life is glorious, reckless adventure; an adverse phase is sarkite relish. Then any job was to carry the physical; to keep him in good repair weighed down by suffering arrested in its flight.

Choudhury cheerful in his unromantic position, was the understudy at the Theatre, Calcutta. He was for his chief. That he was, however, was innocent of art; he functioned broad, blundering. His artist fingers itched to Sometimes the unfinished betray some jarring discordant composition. Choudhury would, at the chief's knowing drawing and put it; his talents were too urgent soon the studio was too canny a polishme colour-grinder. So the paid elder artists can

most effectually; in fact a higher authority still has many years ago already observed, depend upon it the true remedy against famine and scarcity is the frugality of the people. The people ought in years of plenty to make money enough to lay up against these times of famine. The people should be placed in a position to be able to exercise frugality. The Famine Commission refer to the accumulation of capital due to a settled and civilized Government, but on the other hand, there are the counteracting elements of a costly foreign agency, the consequential large annual drains from the country, Imperial Military policy with its scientific frontier and constant border wars. It is to be hoped, however, that these counteracting elements will gradually diminish in strength, and also that the labours of the expenditure commission now sitting in England will lead to some tangible relief.

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A far too large a proportion of National income, about two thirds of the revenue, said Mr. Sayani, is reserved by the Central Government to itself for the general work of the country. Under our present arrangements the Imperial Government has charge of debt, army, foreign relations, railway irrigation works, post-telegraph, mint,

etc., while the entire work of internal ordinary administration is left to the provincial governments, a division of services as between the central and local administrations, much the same as in federal states, and yet in the German Empire only 35 per cent., and in Switzerland and in the United States, only 50 per cent. of the total revenue are, it is believed, appropriated by the Central Governments. If that is so, surely in a country so circumstanced as India is, and where internal improvement is an object of such paramount importance a financial system which leaves so little for local acquirements cannot be a right one. Our Imperial expenditure absorbing two thirds of our national income is accordingly beyond our means and out of all proportion to what we spend for local purposes.

After referring to the elements of uncertainty in the existing system, Mr. Sayani added:—

But what adds to the evils of these revisions is the fact that our provincial settlements are short term settlements. They last only for five years; and as they fall in, they are revised in favour of the Imperial Exchequer and against the provincial administrations. And thus every fifth year our provincial resources are cut down and our provincial progress thrown back. His Honour the Lieutenant-Governor of Bengal last year deprecated it forcibly in this Council. Both Sir David Barbour and Sir Auckland Colvin are in favour of longer terms..... Such is our existing system of provincial finance. Its main features may be summarised thus:—

(1) The proportion of national revenues allotted to provincial uses is too small and utterly inadequate for local requirements.

(2) While the revenues of the country are expanding, the provincial governments get no fair share of such increase for local requirements.

The provincial assignments already so meagre, are further liable to curtailments or revisions in favour of the Imperial Exchequer every five years..... The provincial governments are, besides, liable to make

special contributions, even during the currency of such short term contracts, and that too in cases of ordinary emergency a feature of the present arrangements which imparts a further element of uncertainty into provincial finance.

Mr. Sayani then referred at length to the Mayo scheme of 1870-71, the Strachey scheme of 1877-78, the Ripon scheme of 1881-82 and the revision of contracts in 1887. "It is clear from the above summary" said Mr. Sayani, "that the system requires to be amended as follows:—

The Provincial Governments require a larger proportion of general revenues than is at present permitted to them. They should further be allowed to share in fair and just proportions in the normal increase of national revenues.

The revisions of contracts which exercise a most distributing effect in the general position, should be either done away with as a normal feature of the provincial system or at all events, the terms of the contracts should be longer than five years—say ten years as Sir A. Colvin once recommended.

The revisions ought not to be followed as a rule without a reference to the general financial position of the country, by curtailments of provincial revenues, the provinces should be allowed to retain their own increases of provincial revenues.

Special contributions from the provinces ought to cease except under circumstances contemplated in the Ripon resolution of 1881-82 and the whole arrangements ought to be guided by the central idea that the Imperial government is as much interested in provincial progress as the provincial governments themselves."

The Hon'ble Sir Griffith Evans speaking on the subject of the provincial contracts agreed

generally with what had fallen from Mr. Sayani, saying as follows :—

I do not propose to go into the question of the quinquennial revision. It has been very fully dealt with by the Hon'ble Mr. Sayani and I agree with a great deal of what he has said.

Sir James Westland while replying to the debate also referred to Mr. Sayani's speech, as "very pregnant in suggestion and which it will be useful for us to read at leisure." We give below extracts from Mr. Sayani's speech delivered during the discussion on the Financial Statement for 1898—99.

Speaking about the combined affliction of famine, plague, war and earthquake Mr. Sayani said as follows :—

Referring now to the above matters separately and coming first to famine, I may be permitted to remind the Council that at the last Budget Meeting I referred to the causes of famine and remedies against the same. In reference to my remarks your Lordship was pleased to say :— No one feels more keenly than I that Government does not discharge the whole of its duty even if it provides adequate funds for meeting calamities like that of this year and administers them well. These calamities are, I fear, inevitable in the circumstances of India. But Government is bound never to lose sight of the condition of the people, or fail to take any opportunities it can of ameliorating it. Sir John Woodburn mentioned the other day that the subject, and specially the indebtedness of the people, had been under our consideration. Our programme of work had been laid

out; we have no intention of dropping the subject. I avail myself therefore of this opportunity and beg to remind your Lordship of the intended 'reforming legislation.' I hope that the programme, having been laid out more than a year ago, it has now been well advanced in 'sympathy with the people' and 'in earnest wish for improving the condition under which they live.' If your Lordship can see your way to make an announcement on the subject, your Lordship will be conferring an obligation on the country generally, and the Additional Members of your Lordship's Council, will on the dispersion of this Council and their consequent return to their respective homes, be enabled to carry your Lordship's message of goodwill to the people. The prosperity of this Country My Lord is capable of being vastly advanced. Under the British Rule based as it is generally on law and sympathy, and possessed as England is of the means of pouring British capital into this country to the mutual advantage of both, this country has a good chance of being materially developed. Nature has in its bounty provided us with a tolerably fertile land, good climate, and abundance of river water; the population is numerous and industrious. British Rule has given us peace and England can afford to lend us enormous capital. All the materials therefore, are thus procurable. Even manufactures can be materially increased, as England can teach us the methods and guide us in our endeavours. The only things wanted are to induce English capital to this country, and to guide operations and stimulate industry. The prosperity of this country will conduce to the welfare of both England and India. It will make the Indians prosperous and therefore contented and loyal. It will render India a field for English capital, and a market for English goods. Indeed India is capable of becoming the greatest market for England. The next point I wish to refer to in connection with famine is the excellent and successful manner in which Government has met and managed it, although it was one of the most extensive and intensive that visited the land. To Government is therefore justly due very high praise for an admirable organization and splendid assistance. To all officers of

Government also is due high praise for the zeal and loyalty with which they have carried out the order of the Government.

Mr. Sayani then referred to the noble sympathy and aid extended to India from England during the famine. After forcibly criticising the currency policy and the frontier wars Mr. Sayani proceeded as follows :—

To summarise the above observations, after the anxious times through which the country has passed during the past twelve months, and with the inheritance of accumulated misery which they have left to trouble us in the year about to commence, the people of this country naturally expected that their troubles and sorrow would be reflected in the Financial Statement to be placed before this Council, by the Hon'ble the Financial Member and they confess to a certain measure of disappointment that no such indications are to be found in that statement, which shows that the lessons of these hard times have not made much impression upon the optimistic spirits which has characterised his financial policy. With an expected deficit exceeding five and a quarter crores, after an assured deficit of one and three quarters of the previous years, with an addition of six millions sterling and three crores of Rupees to the permanent debt, with a paralysed trade and disorganised currency, and an unsettled exchange, with the country still not free from all danger of famine and suffering grievously from the malady of the plague, the Hon'ble the Financial Member congratulates us upon the facts that the financial position of the Government of India in the ensuing year will be a reflection of times of returning peace and prosperity, and that a review of the past twenty years justifies the boast that the financial position of India is a better one than that of any other country in the world except the United Kingdom. Any other Finance Minister would under such pressure

it is complained, have suggested and enforced large economies and reductions, would have accepted the proffered aid of England, in respect of the charges of expeditions beyond the frontier undertaken to promote Imperial interests, and would have incurred no additional liabilities for Imperial Military organisations carried out for reasons which have no relation to Indian interests. No economies are however suggested in the statement, the proffered aid of England was rejected, the scheme of railway construction is to be pushed on as if India was overflowing with plenty, new rupees and sterling loans to the extent of nine crores are to be again raised, and twenty lakhs more are to be spent on a better organisation of the British Garrison. Exchange is fixed at a rate far higher than the renewal of Council drawings on a large scale would justify. All items of revenue are expected to yield larger returns and items of expenditure are budgetted for on the basis of increased outlay and a surplus of eighty nine lakhs is expected at the end of the ensuing year. One cannot but contemplate without dismay that such optimistic views should dominate the financial department at a time so critical and I as an humble exponent of Native public opinion feel I should be wanting in my duty if I did not express the fear that we are running great risks in persevering in the present policy when the odds against its success are formidable.

We have already alluded to the state of education or rather want of education amongst the Khoja community about fifty years back. Things have remarkably changed however, during the last two decades. In point of education, enterprise and public spirit this small community stands almost foremost now amongst the Mussalman communities of Western India.

Many institutions of charity, education and social intercourse based on Western models now exist amongst the Khojas. These also include schools for girls. To a reader unacquainted with the state of the Khoja community fifty years back there may seem nothing strange about this. But we have already seen the difficulties and the opposition encountered by Mr. Sayani in acquiring higher education in the early sixties. This was then regarded in the light of an undesirable and unnecessary innovation. It was by no means the case that the family to which Rahimtulla Sayani belonged or those who surrounded him, were conservative and unenterprising and therefore opposed the English education. In fact the case was almost the reverse. Some of Mr. Sayani's near relatives had already travelled to Persia, China and Europe. Even his elder brother Fazl Mahomed Sayani had been to England and had died there. The time and trouble involved in foreign travel in those days, even apart from superstitious objections, can hardly be realised in these days of speedy and comfortable voy-

ages. The painful tidings of the death of the late Mr. Fazulbhoy did not reach Bombay before four or five months had elapsed after its occurrence.

As we have already said above the light of European science and Western education had not yet penetrated the dark walls of prejudice and antiquated customs of the Khoja community even fifty years back. The present condition of the community presents a glaring and satisfactory contrast to those days. One or two facts will bring out clearly the changed conditions. Mr. Sayani was the 1st Khoja gentleman appointed to a seat in the Bombay Legislative Council. But it is curious to note that after his first appointment in 1888 the seat on the Council meant for the representative of the whole of the Mahomedan community of this presidency has been still held (1912) uninterruptedly by Members of the Khoja community. This fact seems highly creditable to the community which forms only about one per cent. of the total Musalman population of the Presidency. Moreover, it

has been due to the higher education, public spirit, catholic charity and practical sympathy with the other sister communities, which have obtained for members of this community a wide influence over all other sections of the Mahomedan community of this presidency.

Even apart from the public life, in the field of education and philanthropy, the Khojas have now come forward with zeal and perseverance. Though this community cannot yet boast of female graduates, a fair knowledge of English, music, painting etc. is quite usual amongst young ladies of the middle and upper classes of this community in these days. It will be no exaggeration to say that this result is largely due to the personal example, influence and repeated exhortations of the late Mr. Sayani. In order to illustrate this fact we have quoted above one of the numerous speeches of the late gentleman in which he exhorted his hearers to '*educate both boys and girls.*' If our impression is right even the 1st Musalman lady who passed the local matri-

culatation examination belonged to this Community.

Several orphanages, schools, sanatoria or other institutions of organised charity exist now, meant exclusively for members of this community. Even as regards catholic and public charity the Khoja Community may well be regarded now, in some respects, as the foremost Moslem community in the whole of India. The bestowal of a baronetcy on a leading Khoja gentleman for his princely charities (Sir Currimbhoy Ebrahim) will illustrate this fact. This singular honour has not been attained by any other Hindu or Mahomedan gentleman in any other part of India. It may be hoped that the worthy example of this philanthropic gentleman will lead many others to come forward with similar acts of organised philanthropy. There are hopeful signs even now, that some wealthy Musalmans of Western India are already planning huge organised charities on an up-to-date basis. Indians are proverbially hospitable and charitable, but in the field of organised philanthropy

there is much room for improvement and progress. We have already referred to the seat of a Musalman representative on the Bombay Council being held, and worthily held, by some member or other of the Khoja community. It may also be pointed out that for the last sixteen years only Khoja gentlemen (Messrs. Fazalbhoy Visram, Sayani and Jinnah) have represented Mohamedan interests of the Bombay Presidency on the Imperial Council also. In fact Mr. Sayani when in the Imperial Council represented not only Mahomedan interests but the non-official community of this Presidency as a whole. Mr. Sayani's personal services to the Moslem communities generally were not confined to his exertions on the local and Imperial Councils. He was one of that small band of cultured Mohamedan leaders who brought into existence that very useful body known as the Anjuman-i-Islam, with its accessories of schools, hostels, gymkhana and club. No doubt the credit in this connection is largely due to the late Mr. Justice Tyabji. But Mr. Sayani's services in the cause of the

Anjuman were also of no mean order. He was for many years Honorary Secretary of the Anjuman and also its Vice-President.

Mr. Sayani's legal reputation is sufficiently well known in this part of India. Every one knows him as a leading solicitor of this city, as well known for deep knowledge of law and forensic skill, as for the inflexible integrity and undisguised contempt of pettifogging tricks. But it is not generally known that his high character have occasionally been remarked on during the course of judgments by the High Court and several decisions have been solely based on his evidence in spite of the existence of a mass of other evidence of a conflicting character. The high value set on his legal opinion and upright character can also be evidenced by one or two judgments of the Judicial Committee of the Privy Council.

In his private life he is known as a gentleman of the old school but at the same time holding sufficiently advanced views. His simplicity of heart occasionally made him liable to be the prey of unscrupulous people

in spite of his great abilities. Though during the last years of his life he held a very high place in the public life of this country, he was by nature of a very unassuming and unambitious character. There is reason to believe that he would have been the recipient of a K. C. I. E., while he was serving on the Imperial Council, had his own modesty not prevented him from coveting such titular distinctions.

During the first fifteen years of his professional career he was largely practising as a pleader also. Had he wished during those days he might have obtained a seat on the High Court Bench. His professional and public career were more dear to him however, and prevented him from desiring it. If rumour speaks correctly Mr. Sayani's name was spontaneously mentioned more than once amongst those recommended as fit to sit on the bench. His private charities are also said to be numerous.

One of his greatest titles to the gratitude of his own community consists in the fatherly encouragement he always used to give to his

poor but deserving brethren. Several Khoja gentlemen who afterwards rose to some eminence and a fair amount of material prosperity, owed largely to the constant encouragement and pecuniary assistance timely rendered to them by the late Mr. Sayani. But for this fact they would probably have been obliged to pass their lives in clerical drudgery or in some obscure occupation. Few people knew this, however, except those intimately connected with the parties concerned.

The simplicity and piety of his life combined with his honourable and distinguished position, was remarkable. The only other gentleman of Western India, with whose character and manner of living it could be well compared was that 'guide, philosopher, and friend' of the Deccan, the late Mahadev Govind Ranade. Of the esteem in which he was held it is scarcely necessary to speak. When he passed away on the 4th of June 1902 there was a spontaneous outburst of grief in numerous Khoja homes and it was felt by many a

person that he had lost a sincere friend who was, as it were, a parent to him. Special editions of several papers were issued, and there was a huge gathering of all classes and communities at the funeral. It was however the time of the summer vacation and many of his intimate and personal friends were absent from the town. Letters of condolence received from all parts of the country gave ample testimony to the esteem in which he was held by all classes of the community. It is gratifying to note that some of the best and kindest of them emanated from prominent members of the European Community both official and unofficial. It should be remembered in this connection that the National Congress, of which Mr. Sayani was one of the strongest supporters, had come in for a great deal of adverse criticism from the Anglo-Indian press at this time. Mr. Sayani's personal qualities were, however, well appreciated by those who had come in close contact with him. The disinterested service rendered both to the people and the government by the

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moderate leaders of the Congress have now been amply recognised on all sides.

Referring to the esteem in which Mr. Sayani was held one prominent journal wrote that Mr. Sayani's name had not figured in any despatches but was enshrined in the hearts of the people. Space does not permit us to quote many such instances. We shall therefore satisfy ourselves with quoting the reference of a distinguished Vice Chancellor (Dr. Mackichan) during his convocation address, to Mr. Sayani's death.

This is not the place to speak of the late Mr. Sayani's services to the public life of this city. I would only observe that he combined in a manner that is not common, the civic and the academic spirit. The latter lent refinement to his public life, while his experience as a public spirited citizen contributed in no small measure to the effectiveness of his services in the various offices which he filled in this University.

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