

Barrister Biswanath Misra – A Fire Brand

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That eventful year was 1910. It was eventful because Vallabhbbhai Javerbhai Patel, a Pleader of Gujrat, fourth son of Javerbhai Galabhai of Gujrat, India, took admission on October 14th in Middle temple, London, for his course in Bar-at-Law. The year was again eventful because the same year on November 17th another stalwart, Biswanath Misra, a Pleader from Aska, Ganjam District, Madras, fourth son of Kulamani Misra, got himself admitted in the same Middle Temple, London, for his Bar-at-Law. Both of them studied in the same batch; and incidentally, were called to the Bar on the same day, i.e., 27th January 1913. They both eventually became Barristers on the same day; and Biswanath became the first Odia barrister and first barrister of Odisha.

The lives of both were extremely significant from the perspectives of the nation, patriotism and character building. Both were great visionaries, iron-willed and nation builders. Both had lives; which began pretty much the same way. After being called to the Bar, Barrister Misra came back to India despite being chosen as King's Counsel by King George the Fifth. He started practising in Calcutta High Court to begin with; but events and situations of the time took him to the High Courts of Patna and Madras too, for his practice. His zeal as a barrister was unfathomable.

There are many parallel incidents between the two barristers in their work lives, may be because of their upbringing in the same Inn and at the same time period. Barrister Patel was the Iron Man of India for his iron-willed determination in doing things. One incident of his life; which has been so oftentimes mentioned, has been the incident of his wife's cancer surgery in Bombay. He was cross-examining a witness in a serious case, when he got a note from his junior. He looked at the note intensely and then pocketed it without batting an eyelid. He continued his cross-examining of the witness with the same passion and excitement. Nobody could realize what the note was about. Later after the court session was over, it could be found out that it was about the death of his wife on the operation table while undergoing an emergency surgery. When people inquired about it with Barrister Patel, he answered stubbornly that his wife was already dead; but his client had to be freed from the wrong allegations; and that was his primary duty. He believed in his commitments all his life; and the incident was only one evidence of it. No wonder, he was a man with iron will, and hence labelled as the "Iron Man."

To draw a parallel, now let us delve into the life of his class fellow from Middle Temple,

Barrister Biswanath Misra. The incident now referred to was from his early days at Calcutta High Court. It was reported in the Utkal Deepika of 9th July 1913. Barrister Misra was the lone Odia barrister in the Calcutta Bar. It was about a man named, 'Jogen Ghose,' who was accused under 307 and 324 (murder and torture). He was too poor to pay any fees to a lawyer to argue his case, leave aside a barrister. No wonder, no one was willing to take up his case. Barrister Misra was convinced of his innocence when he studied the background of the case. He did not want Ghose to get penalized for the crime he had not committed. Being a person always standing for truth and justice, he took up the case without charging a penny. For two consecutive days he argued stubbornly and brilliantly on the floor of the High Court convincing the Jury of Jogen's innocence. The jury after long discussions, declared Jogen Ghose innocent and not guilty.

On that issue, Utkal Deepika gave the details of the court's proceedings; and showered a lot of kudos on Barrister Biswanath Misra for his noble gesture. Deepika further wrote that Barrister Misra's example be replicated by other lawyers in District Courts whereby the poorer sections of the accused could get justice and respite from being penalized; and that would truly be a great service to the Odias. Another dimension of Biswanath had come to the fore when he was only a Pleader, much before he became a Barrister. It was the year 1906. He had just started practicing law in Aska, a segregated Odia-speaking tract. His love for Odia, Odias and Odisha always took him over emotionally and he got disturbed uncontrollably. The reason was the use of only Telugu and English languages in the courts of Ganjam for filing petitions and arguing in the courts. Odia was not

allowed to be used as an official language. Biswanath was hurt very badly and retaliated aggressively. He was helped by some other leading Aska pleaders in his effort to introduce Odia as a medium of filing petitions and carrying out court proceedings. He fought for it at all levels of judiciary and administration; and finally became successful in accomplishing his objective. Odia was used in the courts of Ganjam; which was a big win for the Odias. Biswanath's fiery presentations and arguments for the cause were noticed by his fellow pleaders and they recognized him as a Fire-Brand. He had justified his character throughout his life by battling for upholding the sanctity and supremacy of Odia language and Odia people. Analysis of numerous incidents of his later life that followed, very aptly justified the above in more than many ways.

Biswanath's Childhood

To begin with, being born to poor parents in a village called Nua Someswarapur, a sasan near Sakshigopal, Puri, he was bound by chains of conservatism and superstitions prevalent at the time. His father, Kulamani Misra, and mother, Radhika Devi, were very much scared of the societal sanctions of the time; but both were progressive in their attitude in their limited ways. Biswanath's academic ambitions were very high right from his childhood; but the societal norms of the time were creating serious stumbling blocks on the way of his academic pursuits. As soon as he completed elementary education from his village first and then from Beraboi, he took admission in Puri Zilla School. The first stumbling block came here by being laid down by the Brahman Samaj of the village. Reason was considered very serious then. Biswanath would be committing a sin against God by pursuing

English education and consequently, he could not be part of the Brahman society. Kulamani, being more progressive than his clan, tried to convince the clan members with all logical rhyme and reason to grant permission for his son's higher education. The Brahman Samaj reluctantly yielded to it; but penalized Kulamani Twenty rupees; which was a huge sum at the time, and especially for a poor person like Kulamani. He, however, collected the money with great difficulty and deposited the same with the Brahman Samaj, as he was always in favour of his son getting well educated.

In 1897, Biswanath got double promotion and got admitted in Class IV (equivalent to Class VIII of today). The meritorious, Biswanath passed his "Entrance" (School Final) examination in 1902 from Puri Zilla School in flying colours and won divisional scholarship of ten rupees. The scholarship motivated him to go for further studies at Ravenshaw College, Cuttack. Although the scholarship money was not enough to fund pursuance of his higher studies and stay at Cuttack, he struggled hard to make his both ends meet. He tutored small children and cooked in some households to make the extra money. Despite hard times, he came out successful again, and passed his "F A" with merit in 1904.

Biswanath and Rasolkonda

In 1903 Utkal Gourab Madhusudan Das had floated the "Utkal Sammilani" with the intention to unite the segregated Odia-speaking tracts. In its first convention at Cuttack the same year, Biswanath, as a student of Ravenshaw College, joined it as a student volunteer. He was so impressed with the magnetic personality of Madhusudan Das; and his mission of amalgamating the estranged Odia-speaking tracts and protecting Odia language that he started

treating Madhu Babu as his 'Guru.' The love for Odia as a language and Odisha as a separate state etched an indelible mark in Biswanath's mind and soul till the end of his life. No wonder after he completed his FA, he went to his Guru and sought his advice with regard to his future, as he was in dire need of a job to keep the wolf away from the door. Madhusudan Das could find out his heart-filled love for protection of Odia language and the protection of Odias in the estranged Odia-speaking tracts. He advised Biswanath to go to Rasolkonda (presently, Bhanjanagar) and become an Odia Pundit (Teacher) in Rasolkonda Training School to teach the Ubhay Bhasha Prabina (Both-Language-Expert) teacher-students. A little background of the situation needs a peremptory explanation. It was the time when Odia teachers were not available to teach Odia to the students of Ganjam and Koraput, which were parts of the Madras presidency. Telugu teachers, who knew Odia scantily, taught even Odia language to the school students. It had led the students to understand Odia in a perverted manner. Many a time students in high schools gave funny answers to the meaning of Odia words because they always had an overdose of Telugu in them. It was a big problem of the time, as there were no genuine Odia teachers. Hence came the idea of both-language-expert teachers who were primarily Telugu teachers with a bit of training in Odia language, to be able to teach the Odia students. Rasolkonda Training School was one such school, which was training Telugu teachers to learn Odia to become Both-Language-Expert Teachers. Interestingly, the travesty was that the teachers who taught Odia to such students themselves were Telugus. The land of Upendra Bhanja did not have true Odia teachers. Madhu Babu was perturbed about it. Hence he advised Biswanath to join Rasolkonda

Training School as an Odia teacher to save Odia language from being caricatured. Biswanath without batting an eyelid left for Rasolkonda and joined there as an Odia Pundit.

Pleader Biswanath

It was only the beginning. Soon he could see and feel for the miseries of Odias being treated as second-class citizens in their own homeland. They were not treated at par with the Telugus nor got proper justice from either administration or the judiciary, as those who pleaded for their rights were, in most cases, not Odias. Biswanath got terribly upset with the situations of the time. Being an Odia with his heart blazing for the dignity of Odias, he became hell-bent to uphold the Odia pride. Consequently, he decided to pursue a career in legal systems. He passed his Pleadership from Madras in 1905 and joined the Aska Bar as a Pleader; which gave him the right platform to fight for the rights of Odias of Ganjam and upliftment of Odia language. Interestingly, however, soon he became popular with the people other-than-Odias, because of his affable manners and tremendous ability to argue in favour of his clients and winning the cases. His laurels spread all over as a very successful pleader of the estranged Odia-speaking tracts. Being ambitious and enterprising, he aspired to become a Barrister, which no Odia was by then. He started his preparations and, as a preparatory measure, took his Public Examination from Calcutta University in 1908 and came out fortuitous. His application process started; and soon he got a positive response from Gray's Inn, London, for his Bar-at-Law. As an obedient and loyal son, his next step was to seek permission from his father to go abroad for his higher education in law. Father Kulamani, however, showed hesitancy in leaving

his son to a foreign soil. As an acquiescent son, Biswanath bowed his head and returned back to Aska, his work place. As a coincidence, father Kulamani passed away four months later; and Biswanath got back on his track again for his barristership endeavour. He started his application process; and got into Middle Temple Inn successfully. The rest has been all history.

Barrister Biswanath's Homecoming

After return from London as Odisha's first Bar-at-Law, he was flooded with laurels and social decorations. After reaching India, he travelled from Calcutta to Sakshigopal by train. He was greeted by all the luminaries of the time at every station, as the train stopped. At Cuttack station Sri Madhusudan Das, Sri Braja Sundar Das, Sri Biswanath Kar, and many of the judiciary professionals felicitated him. At his last stop at Sakshigopal, he was received by Sri Gopabandhu Das, Sri Nilakantha Das and Acharya Harihar, etc., with great warmth and cordiality. Meeting Gopabandhu after a long gap was a great feeling for him, as he always addressed him as 'Bhaina' or big brother and respected him as an elderly member of his family. Pundit Nilamani Vidyaratna in his book 'Samudra Jatra Bichara,' eulogized Barrister Misra's efforts as unparalleled in the history of Odisha. In 1913-14 Vidyaratna bestowed the title 'Utkal Ratna' on Barrister Misra, while felicitating him in a big gathering at Chikiti. Sri Fakir Mohan Senapati in his book 'Utkal Bhramana' wrote a poem in the honour of Barrister Misra right before he joined the Calcutta High Court; the attempted English translation of which goes in the following way:

Well Mr. B.N.Misra good-bye, good-bye
With a good example, you opened everyone's eyes,

The shrewd pilgrim-agent would go to London
 Whoever had thought it before!
 Pray you earnestly this much
 Keep the Odia flag aloft
 In the High Court,
 I say Mr. Misra again good-bye
 Never forget your motherland's pitiable cry,
 Wishing you for all success in the High Court
 Be a Barrister with the greatest forte.

Barrister Biswanath and Calcutta

In Calcutta he stayed in House No. 275, Bowbazar Street, a thickly Odia populated area. With passage of time, he became a successful barrister in Calcutta High Court and shifted his residence to Bungalow No. 1945, Dharamtala Street. Soon it became the hub of all Odia and Odisha-related activities. All the stalwarts of Utkal Sammilani, whenever they visited Calcutta, made it a point to stay with Barrister Biswanath to make plans for the future activities. Biswanath motivated the Odias of Calcutta to join hands in the cause of Odisha and Odia language. Soon he became the President of Odisha Union. Odisha Union activities gathered momentum rapidly and became hot topics for Odias of Odisha division and segregated Odia-speaking tracts. Many of these activities have been documented and published in Odia magazines and newspapers of the time. One such event was published in the 17.12.1913 edition of Utkal Deepika. It said that Barrister Biswanath Misra had organized an evening congregation for the Odia students in Calcutta on Thursday. Most of the students had attended it. Some of the dignitaries present in the congregation were the Maharaja and Prince of Sonepur, the Maharaja and Prince of Bamra, the Maharajas of Chikiti and Kanika, Miss Sailabala Das, daughter of Sri Madhusudan Das, Sri Lochan

Prasad Pandey, Sri Bharat Mitra, Editor, Sri Padma Lochan Mohanty, Sri Chandra Chaturya, and Sri Harishchandra Dutta. They all advised the students with a lot of pep talks to keep the Odia flag aloft and high. This meeting had created a long-felt impact; which could be observed from a news feature published again in Utkal Deepika on 11.04.1914. The news item contained that on last 5th April a meeting was held under the auspices of Utkal Union with Barrister Biswanath Misra as the President; which was attended to by Hon'ble Raja of Kanika and Hon'ble Madhusudan Das, C.I.E. The resolutions passed were to create a University in Odisha and till such time, to provide scholarships to all the students studying for their higher education in Patna University. That apart, the other resolution was, to open Bachelor of Science classes in Ravenshaw College.

The main objective of Barrister Misra, as the President of Utkal Union, was to keep the Rajas and Maharajas of Princely States of Odisha in good stead and motivated to contribute generously for the academic developments in Odisha. He was greatly successful in his endeavour, as Maharaja of Mayurbhanj contributed to establish the Maharaja Science Laboratory and Raja of Kanika generously contributed to found the Kanika Library, both in Ravenshaw College. Barrister Misra fanatically dreamt about; and used all his efforts to see that the estranged Odia-speaking tracts get amalgamated and a separate state of Odisha was formed. His second priority and vision were always to develop and open all avenues of higher education in Odisha. An analysis of his life's activities as a Barrister, as a Member of the Utkal Sammilani, and as a three-times Member of the Central Legislative Assembly, clearly lays down

his dreams and vision; and how much he struggled till the end of his life to accomplish them.

Biswanath and Utkal Sammilani

In 1903 Barrister Biswanath had joined Utkal Sammilani as a student volunteer from Ravenshaw College; but after he joined Rasolkonda Training School as an Odia Pundit in 1904, he committed himself to the dedicated service of the Sammilani, as an active member. He represented Ganjam all along his tenure in Utkal Sammilani, and as a Member, he was totally devoted to the interest of the estranged Odia-speaking tracts and their amalgamation. In the month of December 1904, the second annual convention of Utkal Sammilani was held at Cuttack. Right at its beginning, it got mired due to opposing views of two Odia stalwarts of the time, Gopabandhu Das and Madhusudan Das. The issue was, putting all Odia-speaking tracts under one administration for better governance. Young Gopabandhu prayed that they all should be tagged to Central Province whereas Madhu babu wanted them all to be subsumed under Bengal. It led to such a rift that it almost became a clash; and the Sammilani was about to collapse. That is when; young Odia pundit, Biswanath from Ganjam led the torch of peace and unity, and brought down the pandemonium to a placid and serene state. With great humility but passion, he pleaded before all to maintain peace and not digress from the main objective of amalgamation of Odia-speaking tracts. In his appeal he said, "The huge Odia Bhukand spreads from Mahendragiri Mountains to Meghasana. It is not the appropriate time or occasion to enter into a fracas on the issue of tagging this huge bhukhand to Bengal or Central Province. I humbly request all present here to please put the debate to rest for now; and allow it to take its course in future

when the right time comes." He fervently appealed to all to maintain unity; and think and act for the amalgamation of the estranged Odia-speaking tracts and form a separate Odisha province. Young Biswanath's cameo earned a lot of laurels and appreciation from the leaders as well as attendees of the convention. After all, the Sammilani had survived a neck-breaking jolt right at its active inception.

Barrister Misra's contributions to the Utkal Sammilani have been gargantuan. Right from 1904 he remained an active member of the Sammilani, and participated in all the discourses and manifestos undertaken. He himself had proposed many of the important resolutions passed in the Sammilani. The only period of absence for him from the Sammilani was the span of time he spent in London for his Bar-at-Law. Using the Sammilani as a mouthpiece, all along he fervently appealed for Odisha's unification, its formation as a separate state and dispensing justice to the Odias in the estranged Odia-speaking tracts. The figureheads of the Sammilani always lauded him for his patriotic proposals. As an ardent education lover, his proposals and puissant appeals for bringing engineering and law education to Odisha had been his torch-bearing efforts. To explicate this point, underneath are given some of his pioneering efforts in the Utkal Sammilani:

In the seventh resolution of the ninth session of the Sammilani held at Puri in 1913, Barrister Misra advocated strongly in favour of opening an engineering school in Odisha. In his address he said that there was no need for any elaborate introduction to the topic. Opening of an engineering school would do a lot of good to the Odia students. Some might opine that not a lot of students would go to study engineering.

Even no Odia student had gone to study engineering in Calcutta till date. Not many Odia students even went to Cuttack Survey School. However, times had changed, he said. Education amongst Odias would progress a lot, soon. People had shown interest in getting into different fields of education. Earlier government had promised to open an engineering school if twenty thousand rupees were deposited. Raja sahab of Athagad had vouched to deposit the sum since long. It only had to be informed to the government.

In the ninth resolution of the same session, Barrister Biswanath Misra had reiterated his experience at Aska; and strongly advocated for use of Odia language in the courts of Singhbhum district for the Odias residing there. In the tenth session in 1914, the sixth resolution was very stubbornly proposed by the strong Odia language proponent, Barrister Misra, to spread the use of Odia language rampantly and use it in the courts of Singhbhum under Bihar-Odisha, Jeypore under Madras Presidency, and Phuljhar, Padmapur and Chandrapur under Central Province for the benefit of Odia residents of the areas. He also strongly supported the view that if Odia teachers and Odia caretakers were not appointed in the schools of Odia areas, education of Odia students would be seriously impeded.

In 1915 at Sambalpur, in the eleventh session of the Sammilani, Biswanath again mightily supported the proposal of implementing Odia as the official language in Singhbhum, Phuljhar, Padmapur, and Chandrapur, etc., as quickly as possible. In the same session, the ninth resolution was a milestone for the Sammilani, as it dealt with introduction of law education (BL) in Ravenshaw College for Odia students. Barrister Misra not only proposed it; but he himself put in all-out efforts to see that it was carried out. In that regard,

his letter titled “BL Class in Cuttack” in Utkal Deepika of 04.11.1916 deserves mention. In this, he highlighted the importance of Ravenshaw College and how it drew as many students as any other big college of India. He justified opening of BL class in it, as not many Odias were able to pay for their law education, when pursued outside. He further justified it by stating that not only Odia students would study law in Ravenshaw; but also non-Odia students would take its benefit due to its proximity to the estranged Ganjam district and other nearby places under Madras Presidency or Bengal. The BL class would also add more colours to the college, as students from different streams would be joining the law classes and bring more glory to the college. This letter was more of an appeal to all the elites who were concerned for Odias and the Hon’ble Government at centre. He further proposed that the next session at Balasore must treat it as a priority and send a deputation to the concerned authorities for the purpose.

After the March 1918 session, the same year in September at Cuttack, an emergency session was convened. In this session, Barrister Misra laid down his heart-out support for the resolution (post Montague-Chelmsford report) promulgated by the Sammilani. The resolution was, “That while thanking the Right Honourable, the Secretary of State and His Excellency the Viceroy of India for recognizing the necessity and importance of the principle of constituting homogenous administrative units on the basis of language and race which the Odia-speaking people have been urging many years past, this conference places on record its deep sense of disappointment in finding no definite provision in the Report for the amalgamation of the Odia-speaking tracts under one administration and is

of opinion that unless the desired amalgamation precedes or accompanies the reform, the Odias will not only be deprived of the benefits of the scheme itself but will also be placed under serious disadvantages owing to their being in the minority under several existing administrations.” In December 1919, in the fifteenth session at Puri, Barrister Misra had risen to the peak of his involvement; and had proposed in the first resolution that the Sammilani expressed its deep gratitude to the Honourable King of India for his consoling and comforting words, stated in the royal declaration, for reformation and establishment of good rule in India so that its citizens stay satisfied and contented.

Biswanath was extremely dedicated for the formation of a separate state of Odisha. All his life he fought for it in different fora. In 1920-21 the sixteenth session of Utkal Sammilani took place at Chakradharpur. It was a turning point for the Sammilani. The Satyabadi group led by Gopabandhu Das proposed to make the Utkal Sammilani a part of the Bharatiya Jatiya Sabha (Congress); which meant non-cooperation with the British Government and opposing all its activities. It was a very tricky and quizzical situation, as non-cooperation proposed by Congress meant protection of Odia language and formation of Odisha state would be relegated to the back seat. It was only with the cooperation of the British; formation of a separate Odisha state was possible. Utkal Sammilani becoming a part of Bharatiya Jatiya Sabha would totally rule out that possibility. It was not acceptable to Barrister Misra and others who bore the same view. For them, Odia language and Odisha state were first and foremost. After a lot of arguments and counterarguments, Satyabadi group took over;

and passed the resolution to make the Utkal Sammilani a part of Bharatiya Jatiya Sabha.

Biswanath and Cuttack

He always believed that the youth and students truly constitute the power centre of a country. Any revolutionary change can be brought about only with their involvement. As he had already experienced it during his stint at Calcutta, he went on to form a Student Committee at Cuttack of which he became the President. The Committee was dynamically involved in the creation of separate Odisha state and preservation of the sanctity of Odia language. Some of the student leaders, who became active members of it, were Harekrushna Mahatab, Jadumani Mangaraj and Nabakrushna Choudhury, who developed under Barrister Misra's tutelage to lead Odisha later.

Biswanath and Berhampur

On 18.02.1921 the Odia Association of Ganjam called for a special session at Berhampur to discuss the amalgamation of the Odia-speaking tracts of Madras. To find out which specific areas deserved to be amalgamated, the Association formed a Non-government Commission. Barrister B.N.Misra was chosen as the President of it. As soon as he was designated as the President, he started working without wasting any time. Right away he notified in 'Asha' about the dates and places he would be visiting to hold meetings and interactions with people of the areas. There was great joy among people of the region. Barrister Misra met them all on the scheduled dates and collected their opinions with regard to the amalgamation. His visits were a great fillip to the movement; and mobilized the opinions right across Odisha division and the estranged Odia-speaking tracts.

Reformer Biswanath

Life of Biswanath was filled with examples of his forward outlook. Right from the days of his schooling, the reformation attitude of Biswanath was evident in every walk of life. He was a forward looking and progressive person all along his life; but he never went against the established value system of the society nor went against them because of his non-belief in them. In his own life he practiced what he believed in; but never forced them on others if they did not appreciate them. A few examples from his life could be cited here in support of his progressive mind-set.

After his return from London earning his Bar-at-Law, not only he, but his entire family was ostracized and none in the family was allowed to take part in any village festivities. Even none in the village participated in the Misra family activities. To cite an example, there was a marriage ceremony in the Misra family, the marriage of Barrister Biswanath's niece. The groom's party came from Nirakarpur and entered the Nua Someswarapur village with all pomp and ceremony in a procession beating drums, bursting firecrackers and carrying varieties of refulgent lights. It was unbearable for the villagers. They attacked the groom's party, beat them up and seized all their procession materials. The groom's people got extremely mad and were about to counterattack, when Barrister Misra with folded hands requested them to maintain calm. The Village Dafadar informed about the incident to the Police. Police moved into action immediately and started arresting the villagers. It came to the notice of Biswanath Misra who right away went to the Officer-in-Charge and requested him not to arrest the villagers, as it was the auspicious

day of his niece's marriage. Besides, they were only going with the long followed practices of the village; and it could not be considered as their fault. More importantly, the marriage could not be properly solemnized without their blessings. The statement of Biswanath changed the hearts of the villagers and they all welcomed Barrister Misra's family into the fold of the village after long twelve years of banishment. It did not stop there. They all with open arms embraced Biswanath and attended the marriage feast happily.

The second incident was a very personal one for Barrister Biswanath. It was about the marriage of his eldest daughter. As has been said earlier, Biswanath always treated Gopabandhu, as his elder brother. He always liked and respected him as a guardian of the family. Although they carried opposing views in the political front; at the home front Gopabandhu had the deciding say. Gopabandhu came with an alliance proposal for Biswanath's eldest daughter, Sati Devi. It was an unusual kind of alliance for the time. Normally it would have been rejected right at the proposal stage; but it took a different direction due to the progressive attitude of Biswanath Misra. The groom to be was Gobind Tipathy of Sri Ramchandrapur Sasan who later became an able administrator and a great essayist, novelist and playwright of Odisha. The critical part of it was that Gobind was already married to Revati, the younger sister of Pundit Lingaraj Misra (later Odisha's Education Minister). Unfortunately, however, Revati passed away during child delivery leaving a baby son behind. The proposal seemed insane for a conservative Brahmin family of the time; but Gobind's academic career was outstanding; and at that time he was pursuing his MA in English literature at the Patna University. Three factors worked here.

First, Gopabandhu had brought the proposal, second, Biswanath had tremendous weakness for academics and brilliant students; and third, he was extremely progressive and reformatory about the prevalent social stigmas of the time. No wonder, despite Gobind being a widower with a baby boy, Biswanath gave Sati Devi in marriage to Gobind Tripathy, the legendary writer. Need it be mentioned here that Govind Tripathy came out as the topper and gold Medalist of his batch. Govind was to take his ICS examination at Ranchi for which he had boarded the train from Cuttack; but most unfortunately due to severe inundation at Bhadrak, the train could not proceed any further devastating Govind's dream of getting into ICS. He had to come back and later applied for Deputy Magistrate; which he was successful in getting. He joined his first job as a Government Officer at Puri on 7th January 1927.

Barrister Biswanath was probably a little too progressive for the time. When wives were considered as veiled ladies meant for the kitchen, Biswanath took his wife, Kamala Devi, to meetings and conferences of the highest level. In the thirteenth session of Utkal Sammilani held in 1918 at the Idgah ground in Cuttack, Barrister Misra took his wife and sat on the dais along with the stalwarts like Fakir Mohan Senapati, Madhu Babu, Gopabandhu Das and many others. Need it be mentioned here that those were the days when ladies did not even come out to attend the meetings as spectators. The other recorded event of Kamala Devi attending a meeting was on 9th March 1933 at Delhi when Barrister Misra was presiding over it to protest against O'Donnel's recommendation of the boundary of Odisha without including Midnapore, Singhbhum, Ganjam and Odia-speaking tracts of Central Province.

Another interesting example of Biswanath Misra's progressive mentality could be observed from his permission to his youngest daughter, Sumati Devi, to go to school at Cuttack by riding a bicycle; which was unheard of then. Srimati Sumati Devi passed away at the age of 94 only a few months back.

Biswanath and Central Legislative Assembly

The Montague-Chelmsford Report (Mont-Ford Report) was prepared in 1918. Basing on it, the Indian Government Act came into force in 1919. As per the Act, the Central Legislative Assembly or the Lower House (equivalent to present Lok Sabha) and the Council of States or the Upper House (equivalent to present Rajya Sabha) were born. Lower House had 145 members out of which 104 were elected members and 41 were nominated members. The Upper House had 60 members out of which 33 were elected and 27 were nominated members.

1922 saw a big upheaval in Barrister Biswanath Misra's career. He could realize that his efforts for formation of a separate Odisha province could get a real fillip through his active political involvement at the national level, as he could mobilize his efforts to convince the British Government for the formation of a separate Odisha state. In 1920 the first Central Legislative Assembly election took place. Two from Odisha, Braja Sundar Das and Ray Bahadur Nimai Charan Mitra got elected to it. In 1922 Nimai Charan Mitra resigned his membership from the Central Legislative Assembly. Barrister Biswanath seized the opportunity and stood in the bye-election for Membership to Central Legislative Assembly. Two other stalwarts also fought the election; but finally, Biswanath came out as the winner in a big way. Utkal Deepika,

Asha and other newspapers and magazines hailed his win in blossoming words, praising his deeds for estranged Odia-speaking tracts and holding the Odia pride high. Many celebrations and meetings were held in his honour at Berhampur and other places. Later, on 15.03.1922 Barrister Misra took oath as a Member of the Central Legislative Assembly.

The following letter of Barrister Misra published in the 18th October 1920 issue of 'Asha', although not concerned with the Central Legislative Assembly election, reflected the character and temperament of Barrister Misra politically and socially:

"Dear Sir

Many of my friends and quite a number of voters have been inquiring me whether I am going to stand as a candidate for the reformed councils. I take this opportunity to inform such of them as are interested in the matter that I have decided to stand for the Bihar-Odisha Legislative Council from the Urban Constituency of Odisha from the Municipalities of Cuttack, Puri, Balasore, Jajpur, Kendrapara and Sambalpur.

I am the first and only Barrister in the Odia Country. Owing to practice in Patna, Calcutta and Madras High Courts and Moffusil Courts, I have gained plenty of experience of the Odias living under different administrations. There is almost no part of the country unknown to me. My past record as a public man will enable you to judge that I can successfully represent the interests of Odias in the Bihar-Odisha Legislative Council. As you are doubtless aware, I belong to the district of Puri and to the class of Brahmans; and that I hold advanced views on matters social

and political. I believe that the Reforms inaugurated are a stepping-stone to the attainment of Responsible Government in India and co-operation with the Government in the interests of the country is essential. I hold also that the Government should be opposed when necessary. My experience as a public man has been of varied kind and has been acquired during a period of service done for the good of the public for over twenty years in Ganjam and Odisha. My work in connection with the movement for amalgamation of the Odia-speaking tracts under one administration needs no special mention. Not only here, but while in England also, I carried on the agitation and secured sympathetic consideration at the hands of responsible statesmen. As a result of my labours, Mr. Mac Callum Scott, M.P., advocated the cause of Odias in the House of Commons and Mr. E.S. Montague, then Under Secretary of State was convinced of the desirability of the formation of one province for the Odias.

This problem of the amalgamation of the Odia tracts will surely come for discussion before the new Councils and need I here assert that my experience in the cause will serve the country in good stead ?

I have been connected with almost all the social, literary and political movements and associations of Odisha and Ganjam for over a decade. Should the voters support my candidature I shall spare no pains to represent their interests faithfully and espouse their cause to the satisfaction of all concerned.

Yours truly,

B.N.Misra"

First Legislative Assembly

Barrister Misra's legislative assembly participation had been boundless. He was not only unfailingly regular in attendance; but also a huge contributor to the proceedings. His major contributions in the 1st legislative assembly had been his arguments on Salt Taxation, Workmen's Compensation Act, Unification of the Odia-speaking Tracts, Rectification of Acts 145 and 146, Acts 366 and 526 of the Indian Penal Code, Indian Mines Bill, Malkharoda and Gauntia Rural Bill, and Protection by the British Government of the royalties of Princely States Act, etc. Those apart, his masterly criticisms of wastage of expenses on armed forces and poor administration were considered milestone arguments of the time. He had severely criticized the poor planning of government for scanty provision of funds for agriculture and industry in the country. He was extremely critical of the unnecessary provision of enormous funds in the railways just to accommodate the war returned British soldiers non-productively. He was a force reckoned by all in the assembly, who could criticize vehemently the unnecessary expenses incurred because of the Viceroy's retinue and family members making trips around the country not worthwhile at all. Such forceful arguments against the British Government on the floor of the House earned him the title of Blazing Beacon by the members of the time. His "Blazing Beacon" title could be understood with a little more clarity if part of his first speech in the Central Legislative Assembly on 20.03.1922 is quoted here. This was an extension of his speech with regard to his criticism of the doubling of Salt Taxation by the British Indian Government.

"..... unfortunately the Englishman in India is neither an Englishman of England

or in England, but is something quite different. I do not mean that he is transformed into something different from mankind. But, Sir, he is an official. We have to understand the English vocabulary in a different way. We must think that the English people have a different Dictionary for themselves and a different Dictionary for Indians. I may quote to you, Sir, an instance. You all know, even His Excellency the Viceroy when he writes to you, will write 'Your most obedient servant'. Any big official, when he writes to you, subscribes himself 'Your most obedient servant'. What is the meaning of those words? 'Your most obedient servant'? When you implore them that a certain thing should not be done, they will carry it out against your wishes. What sort of obedient servants these Honourable official members are? His Excellency has the power to veto all the Resolutions of this House. Whenever he wishes, His Excellency has the power to veto although he is the most disobedient 'obedient' servant.' He must describe himself either as His Majesty's obedient servant or the Indian Government's most obedient servant.

Mr. President: Order, order. It was a little difficult to know when exactly the Honourable Member began to go out of order, but he is certainly out of order now.

Mr. B.N.Misra: I am just speaking about the Englishman in India, Sir. Of course my idea is that they should not write 'Your most obedient servant' but either write the most disobedient servant or the most oppressive master or act like obedient servants."

Outside Central Legislative Assembly

In September of 1923 Barrister Misra took over as the Editor of 'Utkal Herald'. 'Utkal Herald' was an English weekly and served as the mouthpiece of the people of Odisha Division and the estranged Odia-speaking tracts of the time. It had a great role to play in bringing out the feelings of Odias and their dissatisfaction over non-amalgamation of the Odia-speaking tracts under one administration. Barrister Misra took over from Khan Bahadur Abdul Mazid to lead the weekly because of his deep knowledge of the history of Odisha and India, his statesmanship and his profound journalistic acumen. No wonder, his erudition and scholarly aptitude had ushered him into the love of history; and he had written "A Short History of Ancient Utkal" collecting data from the British Museum, while pursuing his Bar-at-Law. He worked on it for years to refine and edit it. It was all set to be published during his last tenure as a Member of the Central Legislative Assembly; but his sudden demise shelved it and the manuscript either got lost or purloined.

Simon Commission and Biswanath

Seven Members of the British Parliament constituted the Indian Statutory Commission. The Chairman of the Commission was Sir John Simon. His key associate was Sir Clement Attlee who went on to become the Prime Minister of Britain later. The Commission came to India on 3rd February 1928 with the objective of bringing about constitutional reforms to the Indian Act of 1919 promulgated as per the Mont-Ford report. The Commission had to face tremendous opposition all over India because of non-inclusion of any Indian member in the commission. The protests rose to the peak after Lala Lajpat Rai's death due to police caning.

To understand the role that Barrister Biswanath played under the circumstances, one needed to go back to a few years, to the year 1924 to be precise. Because of Biswanath's frequent questioning about the status of separate Odisha state in the Central Legislative Assembly, Government of India had constituted the Phillip-Doff Committee in 1924. The objective of the Committee was to collect the opinions of people in the estranged Odia-speaking border areas with regard to their annexation with Odisha. Mr C. L. Phillip (the Political Agent for Odisha's Princely States) and Mr A C Doff (the Collector of Vishakhapatnam) had to travel to the affected areas with Barrister Biswanath Misra to collect the people's opinions. Biswanath played a key role in it, as he was made responsible to peregrinate the estranged Odia-speaking tracts under Madras Presidency and collect the views of the people with regard to their amalgamation with Odisha. The tireless efforts of Barrister Biswanath brought in rich dividends; and Phillip-Doff Committee laid down a well thought out report; which included a positive statement in favour of amalgamation of the Odia-speaking tracts of Madras with Odisha under one administration.

The turning point, however, came by an irresponsible statement made by Lord Birkainhead, the Secretary of State for India. In his statement he had pointed his fingers at Hindu-Muslim division, and how the Hindu opinion went in one direction and the Muslim opinion went in the other direction. He finally stated that there could never be a report that would be acceptable to the whole of India. Such a statement was considered extremely insolent for Indians. In 1928 it resulted in the union of the main leaders of India; and under the leadership of Motilal Nehru they

decided to promulgate a constitution acceptable to all Indians.

The Committee took into consideration the financial and other conditions of Sindh and recommended for its statehood; but Odisha did not feature in their recommendations, despite there being struggle for it for decades. All the Odia leaders felt that it was insulting to them. Needless to mention here that it not only hurt Barrister Biswanath, he got extremely irritated too. Barrister Misra, Sri Braja Sundar Das, and a few others met Lord Simon in 1929 at Patna with the demand for a separate Odisha province. The efforts of Barrister Misra and others resulted in the formation of a Subcommittee by Simon to look into the creation of states. Clement Attlee led the Subcommittee. Attlee met the representatives of Odia-speaking people of Madras Presidency at Vishakhapatnam. Although officially Prince Vikram Dev of Jeypore was the leader of the group of representatives, in fact, Barrister Misra played the key role of the spokesman. He had prepared all the documents and representations from the Odia point of view for the Attlee Subcommittee.

Later, however, Biswanath found out that neither the Simon Commission nor the Attlee Subcommittee had proposed the inclusion of the Odia-speaking border areas in the separate Odisha province. Biswanath was highly dejected and disappointed. He did not stop there though. He went on writing articles in *The Hindu* and *Madras Mail*; and sent letters to them to mobilize the Odia-speaking residents of the border areas of Madras to raise their voices again for the purpose of their inclusion in separate Odisha province.

Third Legislative Assembly

The 3rd Legislative Assembly had its election in November 1926. Out of 104 seats, Swaraj Party (Congress) won only 40 seats, but on the call of Gandhiji for non-cooperation movement, 27 of the 40 members resigned. Biswanath took part in the bye-election for the vacated post and won it uncontested. Though for a brief period, Biswanath had a very meaningful and effective presence in the Third Assembly. After almost seven years Barrister Misra again adorned the coveted chair meant for the Independents on 9th July 1930 in the Third Assembly. The very next day, i.e., 10th July, was the eventful day of placing the supplementary budget, which had provision of funds for the ensuing Round Table Conference. Many of the leading members had objection to it; but Biswanath's stance was measured and one of caution. The reason being Simon Commission's insinuation for the formation of a separate Odisha state. Despite all odds, Barrister Biswanath being the kind of person he was, could not keep quiet and stood up to offer his arguments. Underneath, his speech has been quoted verbatim.

Mr. B. N. Misra: "As this is a demand for the Round Table Conference, I believe, this House is entitled to know whether it would consist of the representatives of British India alone. We have already seen in the newspapers that there will be twelve members from the Indian States and States' people. Sir, up till now, in the annals of British history, there has been no occasion when the Indian States or their people, joined the British Indian Administration or the British Indian people. Sir, when the Princes' Protection Bill came before this House it was said that we had nothing to do with the Indian States'

administration, nor had the Indian States anything to do with the British Indian Administration. We were told all along that we were separate and the British Indian people have nothing to do with states, which have nothing to do with us. The states have not advanced in education to the same extent as we have advanced in the British territories. With the greatest respect to the states and their rulers, they have never been accustomed to the same system of administration and education as we enjoy in the British portion. With due respect to the rulers and Princes, although they enjoy vast territories and possessions, I must say these are the very cause of misery of the Rulers. Probably they do not enjoy the same freedom as we ordinarily enjoy.

Mr President: Order, order. The Honourable Member cannot go into the internal administration of the Indian States.

Mr B. N. Misra: I was only pointing out that they have not advanced to the same extent as we have. Probably it will be difficult for them to appreciate the position in British India. They have never taken any interest in the progress of British Indian people. So it will be very difficult for the Rulers of the states or their people to join with the British Indian people in their aspirations and in their demand for self-government. Therefore, I submit, that they will not be proper associates with the British Indian people in their demand. I have some doubts and misgivings about their coming for the first time to join with us in the Round Table Conference. It is probably to frustrate the demands of the British Indians that this scheme has been devised.

Then, Sir, so much has been said about the Simon Commission's Report. In spite of all

that has been said about the much-maligned commissioners, I must say that we have talked only of what they have not given. The Honourable Members on the Treasury Benches have not thought of giving effect to their recommendations. I refer to their recommendations in respect of the Odia-speaking people. In their report, on page 312 of the second volume, they have stated that, as regards provincial areas, the question whether some redistribution is desirable should at once be taken up, and they mention that the case of Sind and the Odia-speaking people will be the first to be considered. My submission is this. Whatever may come out – we all assume that some golden egg will come out as a result of the Round Table Conference deliberations – be it Dominion status or be it Autonomy – it will be of no use to the Odia-speaking people. We are in a minority in four provinces. This House is very keen and the Indian Government is also very keen and very anxious about the interests of the minority communities. We are a minority. What has been done for us in spite of so many declarations? Sir, Lord Curzon's Government in 1903 made a declaration that the Odia-speaking tracts should be joined in one province; also from the Montague-Chelmsford Report we got something in 1917. They said that a new province should be formed at an early date. The Simon Commission recommended that it should be done at once. We, Indians, are not very familiar with the meaning of English words and expressions. According to the British, does early date mean 20 years or 30 years or 100 years? We have learnt to believe that at once means at once, not 100 years or 10 years or a month. Honourable Members on the Treasury Benches have not taken any action in the matter. They have not brought forward any proposal for the formation of an Odia

province at once. Whatever may be the reforms of the new constitution of the Local Governments or the Central Government, in any case they will be of no use to the Odias, unless the formation of a new province is taken up at once. Sir, the Treasury Benches ought to realize that the Simon Commission should not form the basis or the only basis in considering the interest of every class and community in the country. As regards other matters His Excellency has very kindly announced that the Conference will be free to consider any matter. The only objection is that we should be asked to mix with the Rulers of the States. It is left to them to follow our system or not. My point is that the question should first be decided for British India alone. Let other people come in or not, as they like.”

Apart from the above, there were many other issues in that session; in which Biswanath participated actively. He vociferously raised his voice against the discontent and hardships caused by the duties imposed under the Salt Act of 1882 and the subsequent Acts amending the same. Even he pointed finger at the Government for convictions under Salt Act and the brutal assault on the Satyagrahis by the Police and other Government officials. On 15th July 1930 the issue of redistribution of areas of the Odia-speaking tracts came up. The question was put by no other than Mr Odisha, Barrister Biswanath Misra. His questions were,

“(a). Are Government aware of:

- i. the recommendations of Mont-Ford Report in 1919 that a sub-province for Odisha should be formed at no distant date;

- ii. the recommendations of Simon Commission that the question of redistribution of Odia-speaking people will be first considered besides the long standing agitation of the Odias and promises by Government in the same matter?

(b). If the answer to part (a) is in the affirmative, will the Government be pleased to state:

- i. whether they intend to make a redistribution of the Odia speaking areas on the existing materials before them, collected during the last 30 years; or
- ii. whether they propose to appoint a fresh committee of officials and non-officials to inquire into the same; or
- iii. whether, in latter case, Government are prepared to name the personnel and appoint such a committee immediately to begin their work ?”

Fourth Legislative Assembly

As per the prior declaration of the Viceroy of India, election to the Fourth Assembly was held in the month of September 1930. Barrister Biswanath got elected to the Assembly uncontested. It was a very difficult time for the Government, as the Civil Disobedience movement was at the peak. Despite all odds, the first session of the Fourth Assembly commenced at Delhi on January 14th 1931. The absence of Swaraj party (Congress) in the Fourth Assembly and the reduction of Members from Pundit Malabya’s party, had posed a serious problem, as there was

no serious opposition to the Government on the floor of the House. Hence, a Nationalist Party was formed with almost 40 Members to oppose the Government, as and when it was necessitated. Barrister Misra was one key Member in it. In the session, Barrister Misra was elected to the Standing Committee for the Departments of Education, Health and Lands. He was also a Member in the Commerce and Railways Committee.

On March 20th 1931, after the Gandhi-Irwin pact was signed on 5th of March, Barrister Misra had given a power packed speech to reduce the budget for administrative and military expenses; which he considered as exorbitant and redundant for the time. The Fourth Legislative Assembly carved a niche for Barrister Biswanath Misra, as it was filled with his arguments for amalgamation of Odia-speaking tracts and formation of a separate state for Odisha. Through his arguments he displayed his prowess in the knowledge of Odisha's history, glorious past, and its widespread territories. He was so much obsessed with the pride and history of Odisha that when the budget on military expenses came up, Biswanath took part in it; and criticized it by citing the way in which wars were fought in Odisha in the past and how funds were allocated for the purpose, etc. His arguments became more and more sharpened; and he went on to say that the British soldiers no way matched the strength and bravery of Indian soldiers; but were given ten times, even twenty times, more salary than the Indian soldiers; which made the military expenditure unnecessarily fat.

In another proceeding, Barrister Misra even did not flinch to state that the Hon'ble Government in England never collected or

bothered to collect any information about the merit or eligibility of the royalties of the princely states of India, yet selected them to represent India in the Round Table Conference. In this context, he specifically mentioned about the prince of Darbhanga. Biswanath dared further to accuse that the Government in England did it only to get a "yes" vote to whatever they proposed in the conference without any concern for the real betterment of India.

On 24th March 1931 Barrister Misra expressed his deep heartfelt grief over the execution of Bhagat Singh, Rajguru and Sukhdev on the previous late night. He along with other Members of the Nationalist Group condemned it as barbaric and the gravest insult to India's freedom movement. Barrister Misra in his moving and poignant speech had said, "The hangings of these three patriotic youths were not only an insult to India's freedom movement; but also would remain a smearing blemish on the British Rule. Hence there would be no meaning in taking part in the discussions on this floor. All the voters of our areas have been deeply saddened by this incident. Therefore, there is no point in continuing the discussion." Thereafter, they all left the House on protest disrupting the day's proceedings.

On March 30th 1931 Barrister Misra had raised a very pertinent question with regard to the canal systems planned out for Ganjam and Odisha. His main queries were about the investments made in those projects. At that point of time the government parried them off. Interestingly, though, on September 21st 1932, in the Shimla session of the Assembly, Government were forced to answer some of the questions posed by Barrister Misra through documentary evidences. The answers clearly pointed out at

the misappropriations and misuse of money and wealth by the British companies in India.

6th September 1931 was the date for the commencement of the 2nd Round Table Conference. Barrister Misra raised the question of non-representation of Odias in the Conference who could fight for formation of separate Odisha state. Government rejected the issue, as the boundary commission was not yet through with the demarcations for the state. He argued very strongly for the induction of the Nationalist Muslim leader, Dr. Ansari, in the Conference. His energetic arguments to induct Dr. Ansari, however, got quashed by the House, as the British Government did not want someone who would argue in favour of India and the Indians.

His arguments against the Indian Press Bill brought by the government, was of immense value to the independence of Press. To thwart the British intention of putting Indian Press under judiciary leash, he argued stubbornly citing his experience for a quarter century in the Indian judiciary system. In the process, he had cited numerous examples from his courtroom experiences; but as usual, the Government quashed it.

On 19th November 1931, Barrister Misra had made a path-breaking observation by raising his question on the Supplementary Indian Finance Bill and the raises provided in it. All considered his argument exemplary. He cited the examples of all the commonwealth countries and the proportionate salary difference between the menials and the top bosses. In that light he pointed out to the humongous salary differences practiced in India by the British. He gave the examples of Canada where it was 1:12, in England it was 1:32; but in India it was shamelessly in the proportion

of 1:133. He further added that if the Government wanted to save money, they should not resort to retrenchment of the low salaried employees. On the contrary, they should retrench the high salaried employees, whereby they could save genuinely. He reiterated himself by saying that if 600 rupees were deducted from an employee earning 6000 rupees, it would not have a great impact on his earning; but if 3 rupees were deducted from an employee earning only 30 rupees a month, it would be a sky fall disaster for him. Besides, how much would the government save by it? Or else, let the British principle applied in UK be adopted here. As per their pattern, if a clerk was getting 30 rupees, the officer would get $30 \times 32 = 960$ rupees. Hence $48000 - 960 = 47040$ rupees be deducted from his salary in India. That way, the Government here would save a lot and make surplus budget. The whole House experienced uproar after Barrister Misra's arguments; but he could very cunningly unmask the pretensions and hypocrisy of the British Government.

As has been said earlier, his fellow Members addressed him as "Mr Odisha" because of his frequent references to Odisha's past glory and present miseries. One of his arguments on the Railway budget on March 3rd 1932 could be used here to understand the justification of his title. In his criticism of the work of Railway Board, he had become extremely critical. He pointed out at the lack of opportunities for Odias to work in the Railways. A large part of the Bengal-Nagpur Railways (BNR) passed through Odisha; but not even 1% of the employees were from Odisha. He further sarcastically but harshly pointed out that the railway employments be given to people by heredity, not by merit, so that no Odia could get a job. That is when the whole House reverberated with the slogan 'Bravo Mr Odisha

– Bravo Mr Odisha’. He went on arguing on the different issues of the Railway Budget and finally submitted that the Railway Board be dissolved, as it did not know how it was supposed to work. Mr Odisha’s arguments on that day were unprecedented for any Member of the Imperial Central Legislative Assembly, leave aside any Odia Member.

1931-32 Financial year had seen a serious financial deficit. To fulfil the deficit, Government had called for an emergency session from November 4th to 20th 1931 to pass a supplementary financial bill. Government’s intention was to pass it for fifteen months, i.e., till the end of March of 1933. The Members lodged a lot of protests; but all knew that as long as the Viceroy had veto power, no amount of protest could thwart a bill from being passed. Under such circumstances, Barrister Misra rose from his seat and made a historical speech confusing the Chair, yet making his point strongly and powerfully. He said that there was no point in sanctioning huge grants for North Western Province under the pretext that the province worked towards protecting the country from the enemies from outside. Were that the reason, then Odisha deserved the most grants, as it stood historically as the strongest eastern wall against the foreign attacks from the sea route. Then changing his stance, he talked about the step-motherly attitude of the Government towards Odisha. When it came to the formation of Bihar-Odisha or Sindhu provinces, such attitude was not observed at all, why then such attitude when it came to the formation of Odisha ? If the Government had no intention of forming Odisha state, why did they bring O’Donnel (Chairman of the Committee) from 6000 miles, Phukan from Assam and a millionaire Mehta from Bombay to form the

O’Donnel Committee to look into the boundary issues of Odisha ?

The confused President of the House had to make his ruling to stop Barrister Biswanath from making his points by saying that, the Hon’ble Member was not staying in order in his speeches. When he was supposed to talk about the financial allotments for the departments of foreign and political affairs, he was talking about the formation of Odisha state.

Biswanath, in reply, said that he was still talking about the eastern frontiers of the country. After a little delving on the budget allotment for North Western Province, he again redirected his speech towards Odisha and its problems. He accused the Government and even the Viceroy for not mentioning Odisha and its formation as a separate state in the deliberations that took place. He further added that the Government was so much bent upon the welfare of the North Western frontier Province, but it was not paying the slightest heed to the Eastern frontier Province.

On February 24th 1932, Barrister Misra had placed his irrefutable argument to protect Odisha’s paper industry and bamboo plantation, the raw material required for it. It was done with the intention of curbing the import of paper from England; and at the same time decontrolling the paper industry in India from the British owners.

Ottawa Agreement had been signed in July 1932. Government of India without the approval of the Central Legislative Assembly had sent a delegation to Ottawa, Canada, to represent India there. In that conference, an agreement was signed between England and India on business deals. It was a cunning deal ultimately favouring the UK and hurting India’s interest. There was

outcry all over India against it. Barrister Biswanath Misra delivered a number of speeches against the Agreement in the House during the period of November 7th to 28th 1932 and impressed on the Government to send it to a Select Committee for reconsideration. As his nature was, his fire breathing character took over him, he warned the Government saying that you could send any delegation to any convention, Geneva Convention, League of Nations, Ottawa Conference or for that matter, any other convention or conference; but until and unless the delegation had got prior approval of the Central Legislative Assembly, it would not be treated as the representative of common people of India. Due to such protests the Ottawa Agreement had to be sent to a Select Committee; but as was the policy of the British Government, it got passed ultimately; and was imposed on India.

Then again the Mr Odisha in him took over; and he accused the Government of placing an unnecessary bill like the Ottawa Agreement in the House so quickly; but it had been utterly callous about the separate state of Odisha bill; which still had not been moved.

The year 1932 was the year of many tests, many activities and many successes for Biswanath. Towards the fag end of 1932, Biswanath had become extremely vociferous about Odisha's boundary considerations and the formation of the separate Odisha state. His questions, therefore mostly focused on the formation of the state and the kind of compensations to be given to the state by the government. On 15th December, he had raised a series of three questions. The first one was about the report of the Odisha Committee; second one was about the placement of the report before the Round Table Conference, and the third

was about the opinion of the Government on the report.

Barrister Biswanath's vocal arguments on the Salt issue might appear to be insignificant at the present time; but then it was considered as a monumental issue; which needed highest level of attention. His efforts had given birth to a Committee on August 22nd 1933; which comprised Mr. E. Studd, Mr. Lalchand Navalchand and Barrister Biswanath Misra as Members. Unfortunately Biswanath passed away suddenly and untimely; and all the research and planning on the Salt issue got lost with him.

The Fourth session of the Assembly was Barrister Biswanath's session. With regard to terrorism in Bengal and the way the arrested people were deprived of their basic legal rights, Barrister Misra was extremely aggrieved; and he fought tooth and nail to quash the bill citing various instances. However, despite all oppositions, the British got it passed without any amendment.

The Third Round Table Conference White Paper was placed before a Joint Select Committee, in which O'Donnell had denied the amalgamation of Jeypore and Parlakhemindi with Odisha despite the protests of the other two members, Phukan and Navalchand. It was considered a serious issue and a new Odia delegation comprising three members was scheduled to go to England to raise the issue again. To appraise the issues to the delegation, an emergency meeting was called for at Delhi on 9th March 1933 under the chairmanship of Barrister Biswanath Misra; which was attended to by many Odias including the Raja Sahab of Khallikote, Sri Bhubanananda Das, Mr. and Mrs. Nayak and Mrs. Kamala Devi, the wife of Barrister Misra. In this meeting Barrister Misra expressed his deep

regrets for O'Donnel Committee's non-inclusion of Midnapore, Singhbhum, Ganjam and the Odia-speaking tracts of the Central Province in the boundaries of Odisha. He also went further and asserted that without the inclusion of Parlakhimindi, Tikali, Manjusha, Urala, Budharsingh and Jalantar, it would not be a true Odisha. He vehemently argued that an Odisha state would not be acceptable without the inclusion of Berhampur, Chatrapur and Parlakhimindi. It was agreed upon by all present in the meeting.

Barrister Misra's efforts can be well observed from two of the news items published in the 'Utkal Deepika' on 04.03.1933 and 18.03.1933 respectively.

04.03.1933

Misra Meets The Viceroy

With regard to the boundary of Odisha, the Central Legislative Assembly Member, Barrister Misra, had met with the Viceroy last week. He had explained to the Viceroy about the problems to be encountered if the repeatedly demanded areas by the Odias were not amalgamated with Odisha.

18.03.1933

Boundary of the Utkal Pradesh

After Barrister Biswanath's meeting with the Viceroy, the British Government have considered the oft-repeated demands of the Odias; and have decided the boundary of Odisha to include the following:

Cuttack, Puri, Balasore, Sambalpur, Anugole, Khariar, Padmapur, Out of Ganjam of Madras, Ganjam, Ghumusar, Aska, Chatrapur,

Kodala, Ichhapore, Berhampore Tahsil and Berhampore Town. Parlakhimindi, Jalantara, and Jeypore, however, would remain under Madras.

On 24.04.1933 'Asha' published a letter of Barrister Misra that carried a lot of value considering the content of it. It had let the cat out of the bag with regard to the power struggle that existed between the leaders of the time in the absence of Madhu Babu because of dotage and other leaders due to non-participation in the Odia movement.

In his letter Barrister Misra apprehended that the representatives of Odias going to England for arguing in favour of Odisha state formation and its boundary issues would also take care of the interest of their own parties in the state clandestinely. To this, Barrister Misra said that, although the extent of truth in it was not known, if it were true, it would not be a welfare move for Odisha or the country. The representatives had been selected to put forth the cause of Odisha and its boundaries; but taking advantage of it, if they tried to materialize their own interests, it would be highly indecent. Hence the representatives must work towards only the formation of separate state of Odisha and demarcation of its boundaries. Working for their own self-interest would be a proof of their lowliness. I, therefore, would expect that the representatives would only pay special heed to the purpose for which they had been sent as delegates.

Barrister Misra was a fanatic when it came to Odisha and its formation as a separate state. Numerous numbers of times he raised the question of Odisha and its interest areas. But that did not mean he confined himself only to Odisha, he was a true nationalist and fought for

India and its interests, as and when the issues came up. On August 22nd 1933 he had demanded the answers to his starred questions regarding the Bengal Regulation prisoners, Ordinance prisoners, and other political prisoners; and the kind of treatment they were being meted out in the jail. Government was forced to answer the questions before deferring the session.

His last speech on September 13th 1933, on the floor of the House was one such speech concerning the Indian Military Academy at Dehradun. The issue was of great importance to India; and Barrister Misra had smelt a rat in it because of his strong foresight. He could envisage that soon the Indian Government would bring an ordinance and categorize Indian officers in a different grade than the British officers. The Indian officers would be deprived of the power to command the British soldiers; and therefore, despite being seniors to the British officials, could not be promoted over them.

The apprehension of relegating the Indian officers to the back seat, had forced Barrister Misra to stand up from his seat and raise the issue forcefully despite the excruciating pain he was experiencing because of his cardiac ailment. His foresight and apprehensions were proved right in 1934, when in July-August that year, Government brought up a bill in that connection and got it passed, despite verbose protests from the opposition. Unfortunately ten months before that, Barrister Biswanath had succumbed to his heart ailment on 19th September 1933, six days after his monumental speech in the House on IMA. Barrister Misra was always very touchy about the issues relating to Indian Military Academy.

On 26th December 1932 'Asha' published a news item with the headline, "Odisha

Became a State" quoting it from London news agency dated 24.12.1932. It also published a photograph of the Odia Deputation at Delhi to meet the Viceroy of India. Barrister Biswanath Misra was a member of the deputation.

After the 13th September 1933 Indian Military Academy emotional speech in the Central Legislative Assembly at Shimla, Barrister Misra suffered a myocardial infarction; which he succumbed to on 19th September 1933. He had attended to his duties in the House even the previous day, the last day of the session, despite the suffocating pain he was going through. He was cremated in Sanjauli Crematorium, 'Moksha Dham', in Shimla, far away from his near and dear ones, in the presence of many Legislative Assembly Members. The great Odia pioneer and doyen of separate Odisha state movement could not live to see his dreams fulfilled nor could he play his role in the soon to be born new state of Odisha. Some of the tributes offered in the House quoted underneath do vouch for the above statement. The very next day an emergency session of the Assembly was called and the President of the House and Members paid rich tributes to the departed soul.

The Honourable Sir Joseph Bhore (Leader of the House): Sir, death has again removed with tragic suddenness yet another sitting Member of this Assembly. Mr. B. N. Misra was, I believe, a Member of the first Assembly and also of the third Assembly. I personally will remember him best for his ardent advocacy of the claims of Odisha, his own home. Unhappily he has not been spared to see what we hope will be the fruition of his desires. It will be unnecessary for me to say much about one who was in such recent touch with us all. I need only say that his quiet unassuming presence made him liked by

everyone with whom he came in contact. May I ask you, Sir, to convey to his relatives our deep sympathy with them in their bereavement ?

Sir Cowasji Jehangir (Bombay City: Non-Muhammadan Urban): Mr. President, on behalf of myself and my Party, I rise to associate ourselves with the words that have fallen from the Leader of the House. Mr. Misra one of those quiet unassuming Members in this Honourable House who had not a single enemy amongst us. His great mission was fulfilled, namely, the separation of Odisha; but most unfortunately, he did not live to see a Governor and Council in his own province. Mr. Misra, I believe, was writing the history of his province which perhaps we may be privileged to read in the future – whatever he left on paper. Mr. Misra was attached to his province and came here to represent faithfully the views of his constituency, and he never missed an occasion to do so. We regret – most of us – that we were not able to be present yesterday at his funeral which we should certainly have done had we been informed in time. May I also suggest that you, Sir, should convey to the family of the deceased our sincere sympathy with them in their bereavement?

Mr. C. S. Ranga Iyer (Rohilkund and Kumaon Divisions: Non-Muhammadan Rural): Sir, I rise to associate myself and my Party with all the sentiments that have fallen from the lips of the Honourable the Leaders of the House and of the Independent Party. When Mr. Misra came to my room in the Cecil Hotel a week ago, with the manuscript of his book, “The History of Ancient Utkal”, which he wanted me to revise, I little knew that I would be standing on the floor of the House to speak out my feelings about the passing away of a good man and true, or that

I would have been going yesterday to Sanjauli to standby the funeral pyre amidst pouring rain. He was one of those good men who pleased those with whom he came in contact. His good manners, his sweet temper and his great sense of humour always made him very likeable, always made him the best friend in politics in which friends are few. He was one of the pioneers of the new Odisha movement, and, as the Leader of the House has truly said, the great tragedy in his passing away at this time lies in the fact that he did not have the privilege of enjoying the fruit of his labours. Sir, we express our deep regrets here and our deepest sympathies for the bereaved family.

Mr. Jagan Nath Aggarwal (Jullundur Division: Non-Muhammadan): Sir, on behalf of friends in this part of the House, I wish to associate myself with all that has fallen from the previous speakers. It is a matter of great regret that Mr. Misra, whose last appearance we all remember in the House on the non-official day when he moved the Resolution relating to the Military Academy, was suffering from blood pressure. We all remember the painful experience we had that day. It was with great difficulty and simply out of a sense of duty that he did not flinch from moving that Resolution – it was with difficulty indeed that he could manage to carry out his wish and we all felt that there was really something wrong with him; but he stuck to his duty to the last and it is with deep regret that we learnt rather late in the day yesterday that he had passed away. In fact this last event in his life has proved what we all knew so well during the years we had been in contact with him, that he cared more for his duty than for his own comfort or convenience. As has been truly said by the Leader of the House, he

did not live long enough to see the fruition of his endeavours in the creation of an independent Odisha province. He was, as we all know, a kind and unassuming figure who made more friends than enemies, and there is hardly a man in this House or outside who can say that on any occasion Mr. Misra had spoken ill of anybody or done harm to anyone. We will all miss him, and I would request you, Sir, to convey to his family the sentiments of all of us that we share their loss and to express our deep sense of sorrow and regret at his tragic death on this occasion.

Mr. H.N. Ankalesaria (Bombay Northern Division : Non-Muhammadan Rural) : Mr. President, it is a great pity that at the very fag end the even tenor of this Session should have been marred by the tragedy of Mr. Misra's death. To every one of us death must come sooner or later; but to Mr. Misra death has come in somewhat painful circumstances, removed as he was far away from his home and family and from his community of which he was a very prominent and very honoured member. To most Members of this House, who did not know Mr. Misra well, he might have appeared a somewhat perplexing personality; but to those who knew Mr. Misra intimately, as I claim to have done, Mr. Misra was possessed of very good qualities of head and heart.

He was, however, well versed in Hindu philosophy and Hindu religion, and it may be of interest to know that he was actually engaged in writing a work on the comparative History of Religions at the time of his death. He was a barrister, and that he was held in high esteem by his community and his province is shown by the fact that he was an elected Member in the first Assembly and that he lost the election in the second Assembly against the Swarajist candidate

only by one vote. Sir, in spite of his conservatism in religious matters, he had very progressive ideas, and he was the first man in his community to cross the black waters. I have nothing to add except to say that I joined in the tribute of respect for our departed colleague and in the request to you to convey our sympathy and condolence to his bereaved family.

Sir Leslie Hudson (Bombay: European): Sir, on behalf of myself and my Party, I wish to add my tribute to the memory of our late fellow Member, Mr. Misra, and to associate myself with the remarks which have fallen from the Honourable the Leader of the House and other Honourable Members in regard to the regret which we all feel that he has not been spared to see the fulfillment of his life's labour and desire in the separation of Odisha. By his kindly disposition, he had endeared himself to everyone of us in the House, and we shall all miss him.

Nawab, Major Malik Talib Mehdi Khan (North Punjab: Muhammadan): Sir, I associate myself on my own and my Party's behalf with what has been said by previous speakers. I well remember the day when I first came to this House, Mr. Misra asked me to help him in his scheme for the separation of Odisha and I promised to do so. He had a very quiet and unassuming nature and his qualities of head and heart were very great. Again, Sir, after he made his last speech the other day, on the Indianization of army, he came out of the House and told me that he could not very well render his speech on account of illness which was afflicting him that day. It is a pity that he has not been spared to see his pet scheme of the separation of Odisha fructifying and to take part in the new order of things to be brought about by it. Sir, we all mourn the loss of

a friend who was jewel covered with slugged stone. Sir, I also request you to convey our sympathy and condolence to his bereaved family.

Mr. Gaya Prasad Singh (Muzaffarpur cum Champaran : Non-Muhammadan) : Sir, as one coming from the province of Bihar and Odisha, I should like to associate myself with all that has been said by the Honourable the Leader of the House, and other Honourable Members. I remember very well the last illness of Mr. Misra, and when he was suffering from high blood pressure, I told him repeatedly to leave Simla and to go down. I even asked my friend, Dr. Dalal, to give him the advice to leave Simla, which Dr. Dalal did; but his consciousness of duty kept him in Simla and he has died practically in harness. Sir, Mr. Misra was a man of very amiable disposition and of loving nature; he was very regular of his attendance at the meetings, a lesson which many of us might learn. I would request you, Sir, to convey to the members of the bereaved family an expression of our sincere sorrow and regret at his death under which it has taken place in Simla far away from his family members.

Maulavi Muhammad Shafee Daoodi (Tirhut Division: Muhammadan): Sir, it is really an irreparable loss that Odisha has suffered. I know how the people of Odisha had confidence in Mr. Misra and in his labours to bring about the separation of Odisha. He did his very best, and it is a pity that he has not been spared to see the fruition of his labours. I feel very much that I was not able to be present at the funeral pyre, for, had I known about his death a little earlier yesterday, I would have tried to be present in spite of my indisposition. Sir, I wish to associate myself with every word that has fallen from the previous speakers.

Mr. Bhuput Sing (Bihar and Odisha: Landholders): Sir, being a representative of Bihar and Odisha, I beg to associate myself with all the remarks which have fallen from the previous speakers. Sir, Mr. Misra comes from a very respectable Brahmin family of Odisha, and the people of the new proposed province of Odisha owe a deep debt of gratitude to him for all that he has done for the creation of a separate province. He was a very noble soul, and a typical Brahmin with the ideals of plain living and high thinking. I sincerely feel sorry that he could not see the fruition of his work which he had almost completed on ancient history and ancient culture of Odisha which dates many centuries back and which was his life's ambition. He was also a master of Odia language. Sir, I express my heartfelt condolence to Mrs. Misra and the bereaved family.

Mr. President (The Honourable Sir Sanmukham Chetty): I wish to associate the Chair with the tribute that has been paid to the memory of our late colleague, Mr. B.N. Misra, who was so well loved by all parts of the House. His devotion to duty, of which his regular attendance in this House was an ample proof, may serve as an example to all of us. It shall be my duty to convey to the members of the bereaved family our sense of loss and sympathy on this occasion.

Many other Members of the CLA (Central Legislative Assembly) also loaded the special session with panegyrics about the departed Biswanath Misra, which not only revealed his love of Odisha and Odia as a language; but also clearly reflected the immeasurable contributions made by him for the formation of Odisha as a separate state. He was not only painted as a great statesman of Odisha; but also, as a writer, historian and exponent of comparative religious literatures.

A great son of the soil of Odisha was lost. He never sang his own ballads nor created a retinue of sycophants to make noise about him. His entire life was dedicated to the upliftment of Odias and the fragmented Odisha; which he proved through his deeds and deeds alone. If we, as Odias, do not hail him for his great deeds, it would be our misfortune.

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