

Bihar Herald

SECULARISM AND DEMOCRACY OUR MOTTO

Heartiest Greetings

to the people of Bihar
on the auspicious occasion of

Bihar Diwas

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The Mahad Satyagraha*

- Dr. B. R. Ambedkar

[Commemorating Mahad Satyagraha held on 20th March 1927]

Mahad is a business centre. It is also the headquarters of a taluk. The Untouchables either for purposes of doing their shopping and also for the purpose of their

duty as village servants had to come to Mahad to deliver to the taluka officer either the correspondence sent by village officials or to pay Government revenue collected by village officials. The Chawdar tank was the only public tank from which an outsider could get water. But the Untouchables were not allowed to take water from this tank. The only source of water for the Untouchables was the well in the Untouchables quarters in the town of Mahad. This well was at some distance from the centre of the town. It was quite choked on account of its neglect by the Municipality.

The Untouchables therefore were suffering a great hardship in the matter of water. This continued till matters got going. In 1923 the Legislative Council of Bombay passed a resolution to the effect that the Untouchable classes be allowed to use all public watering places, wells, Dharmshalas which are built and maintained out of public funds, or are administered by bodies appointed by Government or created by Statutes as well as public schools, courts, offices and dispensaries. Government accepted the resolution and issued the following orders:

"In pursuance of the foregoing Council Resolution the Government of Bombay are pleased to direct that all heads of offices should give effect to the resolution so far as it related to the public places, institutions belonging to and maintained by Government. The Collectors should be requested to advise the local bodies in their jurisdiction to consider the desirability of accepting the recommendations made in the Resolution."

In accordance with this order of the Government, the Collector of Kolaba forwarded a copy thereof to the Mahad Municipality for consideration. The Mahad Municipality passed a resolution on 5th January 1924 to the effect that the Municipality had no objection to allow the Untouchables to use the tank. Soon after this resolution was passed there was held at Mahad, a Conference of Untouchables of the Kolaba District over which I presided. The Conference met for two days, the 18th and 20th March 1927. This was the first Conference of the Untouchables held in the Kolaba District. Over 2,500 Untouchables attended the Conference and there was great enthusiasm. On the first day of the Conference, I delivered my presidential address in which I exhorted them to fight for their rights, give up their dirty and vicious habits and rise to full manhood. Thereafter high caste Hindus who were

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Measuring child malnutrition by parliamentary constituencies

Newdesk – A team of researchers from Harvard University has found that "large swathes of parliamentary constituencies across the states of Uttar Pradesh, Rajasthan, Madhya Pradesh, Bihar, Jharkhand and Gujrat are seen to have 'very high burden' of child malnutrition indicators, like stunting, underweight, wasting, low-birth weight and anaemia", Outlook Web Bureau reported on 14th March. The team of researchers is led by an Indian-origin, S. V. Subramanian, who is Professor of Population Health and Geography in Harvard University. The study is titled, "The State of Nutrition among Children in Parliamentary Constituencies of India".

While discussion about child-malnutrition in India is not new – international agencies and Indian social research bodies make regular studies and also suggest corrective measures in the policies, even the government at the centre regularly presents status reports in this regard on the floor of parliament – uniqueness of the present study is parliamentary constituency based.

The MPs from parliamentary constituencies of India (presently 543) do get rupees five crores annually under MPLAD scheme. Till 2016 they have received a total of rupees 31833 crores, as published in Business Standard on 22nd March, 2019. Year wise breakup (four quarterly instalments consolidated) given in the government site for MPLADS

are as follows:

2014-15	Rs. 3348.00
2015-16	Rs. 3502.00
2016-17	Rs. 3497.00
2017-18	Rs. 3504.00
2018-19	Rs. 3949.50

If studying the state of child malnutrition based on parliamentary constituencies becomes a norm, then the voters can ask their MPs, what they have done with that fund. They can know whether the funds are being used for political considerations, being syphoned away or really being used in basic development projects related with healthcare and education etc. The MPs also will be able to think more precisely about the way they may spend the received fund.

The study by Indiaspend quotes S. V. Subramanian, "We wanted to initiate a discussion around the importance of collecting data at the political constituency level and the value of making political constituency identifiers available in routinely collected surveys and the Census," replying to an email interview. "What better way to make research outcomes more relevant to policymakers than by measuring indicators in areas where policymakers are directly responsible?"

Policy makers and think-tanks have also been examining the methods used by the Harvard team to extend similar constituency-based study of development on other parameters as well.

A new name of humane governance : Jacinda Ardern

Newsdesk : When the news came that 50 people have been killed in white supremacist/ Islamophobic terrorist attacks on two separate mosques at Christchurch, New Zealand, it shocked all but as an inevitable sequel of such type of attacks happening elsewhere. Some Islamophobic, some white-supremacist, some puritan... people of the developed world including US have already started facing the throes of those fratricidal eccentricities (rising collectively to rule and shape nations even), seeds of which their governments sowed to protect the interests of its' capitalists, while leaving the colonies during mid and late twentieth century.

But the subsequent developments attracted everyone's attention. When the Prime Minister of New Zealand immediately came out to stand by her people. In her speech in the parliament, she declared that she will not dignify the terrorist by ever mentioning his name. Setting a uniting tone of anger, grief and solidarity for the people of New Zealand, she appealed to them to "speak the names of those who were lost rather than the name of the man who took them."

She even told the US President (whose name the terrorist reportedly mentioned in his so called 'manifesto') that the best way the US could support New

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News & comments

TB in India

There was a scene Raj Kapoor's film 'Aah'. The hero, played by Raj himself, was shown suffering from TB in the film. When his imminent death came to be a matter of months, the physician treating him said to his family, "If we could keep him living for a year at least, he could be saved. Scientists all over the world is working on the medicine to cure TB, they have nearly found it, by next year it is hoped to be available for the patients."

When we confront a TB patient individually, we very easily assure him, "It's easily curable! No need to be anxious. Just take the medicines doctor has prescribed and get healthy protein-rich diets," as if we know everything about TB!

Yet, while lauding India for achieving 84 per cent reduction in tuberculosis deaths among people living with HIV by 2017 (three years ahead of target, with other four underdeveloped/ developing countries) Michel Sidibe, Executive Director of UNAIDS, said, "TB should be a disease of the past. It has been treatable and preventable for decades. Years of neglecting the rights of the world's poor to basic

health care, food and shelter have let TB take hold and allowed resistance to build." We could list this statement from a newsfeed by IANS published by Odishatv bureau on 23rd March.

While a story by Jacob Koshy published in The Hindu on 31st October 2017 reported, "With 1.7 million new cases in 2016, India continued to be the largest contributor to the global burden with up to a quarter of the 6.3 million new cases of TB (up from 6.1 million in 2015).

"In spite of this year's dip, India accounts for about 32% of the number of people worldwide who succumbed to the disease."

Is that due to non-availability of drugs at the outlets? Perhaps that is more due to 'carelessness' in taking the drugs regularly as cares are rising for family and children, with shrinking jobs and soaring prices. And again, much more due to non-availability of needed, very much needed meals!

Happyness Index

Happy birthdays, happy anniversaries, happy valentines, happy so many days yet happiness is on the decrease all over the world. March 20 is

observed every year as World Happiness Day since 2012. This year, on that day the report on world happiness was published by Sustainable Development Solutions Network of United Nations. Happiness is measured on a number of parameters based on income, perceptions of freedom, faith on government and community, availability of health facilities, social security measures, liberalism etc. Among 156 countries assessed in the report India's place has receded from 133 last year to 140.

The quotient of 'Positive Effect' on an average Indian, measured by his/her daily periods of Happiness, Laugh and Enjoyment (gathered from answers given to three questions) was 0.682091 in 2017, which came down to 0.657287 in 2018. Whereas the quotient of 'Negative Effect' measured by her daily bouts of Worry, Sadness and Anger (again gathered from answers given to three questions) was 0.317937 in 2017, which increased to 0.357458 in 2018.

Tibetan refugees

Tibetan refugees began coming to India in the wake of coming of Dalai Lama from Tibet in the year 1959. 2009 figures of Ministry of Home Affairs give the data about the number of Tibetan refugees in

various state of India. In Karnataka 44,468, in Himachal Pradesh 21,980, in Arunachal Pradesh 7,530, in Uttarakhand 8,545, in West Bengal 5,785, in Jammu and Kashmir 6,920 and likewise were their numbers.

After 60 years in India their number is dwindling. Exodus from Tibet also have come down to 100 annually from 3000 decades before. we get a story done by Rahul Tripathy in indianexpress.com dtd.11th Sept.18, "A sharp decline has been recorded in the number of Tibetan refugees in India — from 1.5 lakh to 85,000 in the last seven years — with a large number either migrating to the US or returning to China/Tibet, according to the government's advisor on Tibet Affairs Amitabh Mathur."

The story further narrates, "The fall in numbers, officials said, could be due to various factors including absence of a national refugee policy. Tibetans are recognised as 'foreigners', not refugees, because of which they cannot own any property here, neither can they apply for government jobs. After 2014, only qualified professionals from among the Tibetan refugees are permitted to take jobs in private and non-government sectors..."

Taking the lead from the story referred above Kunal Purohit writes in alzazeera.com on 21st March 2019, "Tibetan authorities say most are going to countries such as the United States, Canada, Germany and Switzerland. Some are returning to Tibet."

Dalai Lama, while speaking in Sweden on 13th Oct.18 said, "We Tibetan refugees have been 60 years in exile, but our ambition is to return and restore Tibet (our country). In exile in India we have worked to educate our children and to keep our language, identity and culture alive with the hope of restoring them in our homeland when conditions allow." (www.tibetanjournal.com/tibetan-refugees-aim-return-restore-tibet-dalai-lama)

The conditions have already been toned down from independence to autonomy. Tibet is already an autonomous region, but Dalai Lama speaks about a real one. The fact remains that the Tibetans want to go back to their homeland. In India, as the above quoted stories all suggest, quite a good number of Tibetans are comfortable with their persisting identity as 'foreigners' since they are considered 'Tibetans' even now and thus ignite their sense of belonging to their homeland. And

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Aghore Prakash Shishu Sadan

Recently retired Head Mistress of Aghore Prakash Shishu Sadan Ms. Nupur Gupta writes in the Souvenir of the School published in 2017 that on 14th May 1949 a school named Shishu Sadan was established by Ms. Sushama Sengupta (popularly known by her pet name 'Bulbul' or 'Bulbul-di') in the premises which was originally the residence of Aghore Kamini Debi and Prakash Chandra Roy, the parents of legendary physician-turned-politician Dr. Bidhan Chandra Roy. It was also the birthplace of Dr. Roy.

Ms. Sushama Sengupta was the founder-Head Mistress of the school. At that time many refugees from eastern part of Bengal (cleaved out to form East Pakistan) had come to Patna. For the benefit for their children and women this school was formed with five children from five impoverished families.

Later, in 1961, when Dr. Roy was the Chief Minister of West Bengal, he took care to develop the school. A trust was formed and under it a Management Committee, to run the school. The school was renamed Aghore Prakash Shishu Sadan in the memory of his parents.

Presently the school is running with children from poor, labouring families in the vicinity as a Linguistic Minority school. Most of the students, boys and girls, are from non-Bengali families, yet they learn one compulsory paper of Bengali language, rather better than the students from Bengali families. Their participation in extra-curricular activities is excellent. For their performances they are given place in all inter-school programmes arranged by the district administration. The school is up to 10th class now. The passing average of this school in Matric examinations is much higher than the state average.

Yet, due to lack of resources, the school is not growing properly. Number of students has not increased in the recent years. Teachers are all lowly paid. The post of Head Mistress is sanctioned by the government and salary for it is given by the government. Since Nupur Gupta has retired, the government will disburse the salary for the Head Mistress only when new incumbent be appointed by it.

A request for appointment of two Assistant Teachers against the sanctioned posts sent from the School has not been met by the government yet. Though recognized as a Linguistic Minority school, the School just gets Rs. 12000/- annually towards development fund. Rest are targeted entitlements – Mid-Day Meal, Bicycle, Uniforms, One-time Scholarships for first divisioners etc. and Rs. 20,000/- annually for educational excursions.

School building needs immediate maintenance, repairing, some renovations. For that the Management Committee had to give a call for donations. Some donations have come and repair work is being done.

Shouldn't the concerned department/s of the government pay some more attention towards the problems of this heritage building and school?

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News & Comments

all those, who on Indian passport have gone abroad for better job or education, they all crave to go to Tibet and China. If not for stay just now, at least for a visit to that mountainous region with all its glory and splendor. It does not look quite impossible that in near future Chinese authorities will sit with representatives of Tibetan refugees (including Dalai Lama) to sort out the things.

Reach sky on photon beams

Ride on light. Keep your grip on its beam, tight. And lo! You have reached the sky! ...

This fantasy is going to be true. Scientists are working on it.

Indiatoday.in reported on 22.3.19, "Scientists have designed a way to levitate and propel objects using only light, by creating nanoscale patterns on the objects' surfaces. Though still theoretical, the work is a step toward developing a spacecraft that could reach the nearest planet outside of our solar system in 20 years, powered and accelerated only by light. This means no fuel needed - just a powerful laser fired at a spacecraft from back on Earth."

The imagination started looking like a not-too-distant reality when the effects of Optical Tweezers were discovered by scientists and with series of experiments over decades its scope grew. Wikipedia explains, "Optical tweezers (originally called single-beam gradient force trap) are scientific instruments that use a highly focused laser beam to

provide an attractive or repulsive force..." So, if light beam aka laser beam can be used as a attractive or repulsive force, why not try it using as a pushing or pulling force? If presently for "microns, small particles", why not for bigger objects in future?

And what is nanoscale patterns? It is made by nanolithography. Nanolithography is a growing field of techniques within nanotechnology dealing with the engineering (etching, writing, printing) of nanometer-scale structures. ...in the range of 10-9 to 10-6 meters, or structures in the nanometer range."

So, the patterns will be printed on our skin-cells? Or on the ultra-light costume we will have to wear? Oh,

Reorganisation of Forbesganj branch of Bengalee Association, Bihar

Newsdesk – Forbesganj branch of Bengalee Association Bihar has been reorganized after a long time. On 24th March, Sunday, a meeting was organized in the premises of Azad Hind Club. The meeting was presided by Abhijeet Sarkar.

An Ad-hoc Committee was elected under the convenorship of Pranav Das. Members are Kaushik Paul (Bittu), Bishwajeet Mitra, Badshah Sarkar, Ratan Sen Munshi (Habuda), Alok Sengupta, Biswajeet Choudhury, Gopal Nandi and Sanjay Paul.



Continued from Page-1 **The Mahad Satyagraha***

present and, who held out that they were the friends of the Untouchables, addressed the gathering and told the Untouchables to be bold and exercise the right that is given to them by law. With this, the proceedings of the first day were closed. The subject committee met at night to consider the resolution to be moved in open conference the next day. In the Subject Committee, attention was drawn by some people to the fact that there was great difficulty at Mahad for the Untouchables in the matter of obtaining water for drinking purposes, and that this difficulty was felt particularly by the members of the Reception Committee of the Conference which had to spend Rs. 15 an enormous amount to employ caste Hindus to dole out water in sufficient quantity to satisfy the needs of those who had attended the Conference.

Next day on the 20th, the Conference met about 9 in the morning. The resolutions agreed upon in the Subject Committee were moved and passed by the Conference. It took about three hours in all. In the end one of my co-workers in moving a vote of thanks to the President and others who had helped to make the Conference a success referred to the question of the difficulty in the matter of getting water and exhorted the Untouchables present to go to the tank and exercise their right to take water from Chawdar tank, especially as the Municipality had by resolution declared it open to the Untouchables and that their Hindu friends were ready to help them. The Hindus who had exhorted them to be bold and begin fearlessly to exercise their rights, instantly realised that this was a bombshell and immediately ran away. But the effect upon the Untouchables was very different. They were electrified by this call to arms. To a man they rose and the body of 2,500 Untouchables led by me and my co-workers marched in a procession through the main streets. The news spread like wild fire while crowds thronged the streets to witness it.

The Hindu inhabitants of the town saw the scene. They were taken by storm. They stood aghast witnessing this scene which they had never seen before. For the moment they seemed to be stunned and paralysed. The procession in form of fours marched past and went to the Chawdar tank, and the Untouchables for the first time drank the water. Soon the Hindus, realizing what had happened, went into frenzy and committed all sorts of atrocities upon the Untouchables who had dared to pollute the water. These atrocities will be narrated in their proper places.

The assault committed by the Hindus on the Untouchables at Mahad when they entered the Chawdar tank was undoubtedly a challenge to the Untouchables. The Untouchables on the other hand were determined not to be satisfied with merely exercising their right but to see it established. They naturally felt that they must take up the challenge thrown at them by the Hindus. Accordingly, a second Conference of the Untouchables was called. The Untouchables were told that they must come fully prepared for all eventualities for Satyagraha (i.e., for civil disobedience and even for going to gaol).

[*Excerpt from 'The Revolt of the Untouchables', Collected works, Vol.5, P: 248-252]

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A new name of humane ...

Zealanders during this difficult time is by offering "sympathy and love for all Muslim communities." Jacinda Ardern has won widespread praise in the wake of the massacre for being quick to meet with victims' families, moving swiftly to tighten gun laws and calling on social media giants to fight extremism on their platforms.

An image of her, in a hijab (as she had put on, in solidarity) was projected onto the tallest building in the world. Jacinda Ardern hugging a person affected by the

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The Martyrs - Bhagat Singh, Rajguru and Sukhdev



We remember with reverence and pay tributes to the great martyrs who were hanged to death on 23rd March 1931 by the British colonial government.

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UN to raise global awareness...

for Bangladesh in the early hours of March 26 before he was arrested for sedition.

During the nine-month war, the Pakistani military and their local Islamist collaborators killed about three million people and raped over 200,000 women, while some 10 million fled to India as refugees. With support from India, Bengali nationalists waged a war against the military. On Dec. 16, Pakistan's military surrendered to joint forces of Bengali guerrilla fighters and the Indian army, which made way for an independent Bangladesh.

Pakistan continues to deny any genocide took place and has not apologized for the atrocities.

In 2010, Bangladesh established an International Crimes Court to Islamist politicians for their crimes against humanity during the war. Dozens of politicians were convicted and given life sentences or hanged.

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Bhagalpur picketing against road accident

Newsdesk – In a tragic incident of road accident one member of Bhagalpur branch of Bengalee Association, Shefali Chakrabarty (49), wife of Hemchandra Chakrabarty (the priest of Kalibari temple) was fatally injured on 20th March. The accident happened in CMS field at Adampur Chowk, when two youths learning to drive hit the woman. The injured was taken to Mayaganj hospital and declared dead by the doctors. What seems notable that members of the Association organized a good picketing at Adampur chowk and compelled the administration to take swift action. By evening the culprits surrendered and the car was seized. On the demand of the picketers for a compensation of five lakh rupees, the administration assured sympathetic consideration; local Ward Councilor immediately donated rupees five thousand and compensation from third party insurance was also arranged.

Bengalee Association, Bihar condoled the death of Shefali Chakrabarty.



The year 2019 is the centenary year of Jallianwala Bagh Massacre of 13th April 1919. On the pages of Behar Herald, we intend to publish from the archives, various materials related to it. In the last issue, we published Chapter 51, 'Rowlatt Act' of the 'Story of my life' by Mahatma Gandhi. In this issue we are giving the second part of the article by Amal Hom, famous journalist of those days, published in Sharadiya Desh (1355) and later collected in the book 'Purushottam Rabindranath'

Letter by Rabindranath after Jallianwala bag Massacre*

[Continued from last issue]

- Amal Hom

On that fateful afternoon of 13th April of 1919, a new chapter of Indian history began to be written with letters of blood on an abandoned land in the city of Amritsar. Next morning the news of Jallianwala Bagh reached Lahore. Two days ago, incident of firing occurred there as well, in the market of Anarkali; shops were closed for the last few days. Now the tension rose to extremes. O'Dwyer ordered, "Open the market, open all the shops, otherwise militancy-laws will be clamped upon." People of Lahore said, "First return the dead bodies of the persons killed in firing at Anarkali." O'Dwyer with his council, entered the narrow lanes and bazars of the old city on horseback, guarded by armed forces in the front and back. The women inside the houses welcomed him by the antic of fake wails of 'siapa'; and men, seeing Malek Omar Hayat Khan of Tiwana, the famed lackey of Punjab, on the horseback with Pathan headgear just beside the Lieutenant Governor, welcomed loudly, "the maternal uncle of the government has come!" Humiliated Lieutenant Governor returned back, could not make the shops open.

Next day, on 15th April, Marshal Law was announced in Lahore. Militaries and the CID polices took away Kalinath from Tribune office, I remained house-arrested in the office. Violent frenzy of Colonel Frank Johnson began in Lahore. Air-bombing was done on unarmed people at Gujranwala, torture of innocent women went on in Kasoor and on the streets of Amritsar, people were made to crawl at bayonet-point.

Thereafter came down the darkest curtain between Punjab and the rest of India. Not a dot of light was there in that deep darkness. The country as a whole was "apprehending something terrible in its silent soul" and "the horizons were hidden" [maha ashonka jopichhe mouna antare' and 'dikdiganta abagunthane dhaka', both lines from the poems of Rabindranath]. Piercing that darkness, tearing away the dark curtain gleamed a streak of light on 30th May 1919.

On that day the voice of the poet of Bengal rose in denouncement – holding the poison of accumulated insult of the country in his own throat like the 'Neelkanth' [Shiva the God], he threw away the crown of honour put on him by the British – he came out to stand by the side of his humiliated countrymen. He wrote to Lord Chelmsford:

6, Dwarkanath Tagore Lane,
Calcutta, May 30, 1919

Your Excellency,

The enormity of the measures taken by the Government in the Punjab for quelling some local disturbances has, with a rude shock, revealed to our minds the helplessness of our position as British subjects in India. The disproportionate severity of the punishments inflicted upon the unfortunate people and the methods of carrying them out, we are convinced, are without parallel in the history of civilised governments, barring some conspicuous exceptions, recent and remote. Considering that such treatment has been meted out to a population, disarmed and resourceless, by a power which has the most terribly efficient organisation for destruction of human lives, we must strongly assert that it can claim no political expediency, far less moral justification. The accounts of the insults and sufferings by our brothers in Punjab have trickled through the gagged silence, reaching every corner of India, and the universal agony of indignation roused in the hearts of our people has been ignored by our rulers—possibly congratulating themselves for what they imagine as salutary lessons. This callousness has been praised by most of the Anglo-Indian papers, which have in some cases gone to the brutal length of making fun of our sufferings, without receiving the least check from the same authority—relentlessly careful in smothering every cry of

Is a Lawyer Bound to Support an Unjust Cause?

- A.S. Cuttler

[A division bench of Patna High Court, comprising of the Chief Justice Amreshwar Pratap Sahi and Justice Rajeev Ranjan Prasad was considering a review petition on 13th March 2019. The court noticed that some documents filed in support of a job application filed by the petitioner were fabricated. After the court warned of penal consequences, the review petition was withdrawn by the lawyer. However, the Court in its Order reproduced an entire article, 'for the benefit of all' and to remind the lawyers their duties and ethical conduct in the matters of conducting cases. The article is by A.S. Cutler and was published in American Bar Association Journal, (April, 1952 edition). The article, being educative, we serialize here, as reproduced in the Court Order, in two parts.]

The layman's question which has most tormented the lawyer over the years is: "How can you honestly stand up and defend a man you know to be guilty?" Or, as to civil cases: "How can you defend a case when you know your client is wrong and really owes the money sought?"

At the outset we must remember that in a democratic country even the worst offender is entitled to a legal defender. If a person accused of crime cannot afford a lawyer, the court will assign one to defend him without cost. Many lawyers, however, believe the right to defend means the duty to employ any means, including the presentation of testimony the lawyer knows to be false. Such an attorney argues the lawyer has no right to judge his client to be guilty or to appraise a civil action by deciding his client is in the wrong. Such a lawyer argues that before one knows a person to be guilty in a criminal matter or wrong in a civil action there must be a judgment of the court to that effect. Judgments are notoriously uncertain when applied to conflicting evidence.

In support of this position, advocates enjoy reciting the following colloquy attributed to Samuel Johnson by his famous biographer, James Boswell:

BOSWELL: But what do you think of supporting a cause which you know to be bad?

JOHNSON: Sir, you do not know it to be good or bad till the judge determines it. You are to state facts clearly; so that your thinking, or what you call knowing, a cause to be bad must be from reasoning, must be from supposing your arguments to be weak and inconclusive. But Sir, that is not enough. An argument which does not convince yourself may convince the judge to whom you urge it; and if it does convince him, why then, sir, you are wrong and he is right. It is his business to judge; and you are not to be confident in your own opinion that a cause is bad, but to say all you can for your client, and then hear the judge's opinion.

BOSWELL: But, Sir, does not affecting a warmth when you have no warmth, and appearing to be clearly of one opinion when you are in reality of another opinion, does not such dissimulation impair one's honesty? Is there not some danger that a lawyer may put on the same mask in common life in the intercourse with his friends?

JOHNSON: Why, no, Sir. Everybody knows you are paid for affecting warmth for your client, and it is therefore properly no dissimulation: the moment you come from the Bar you resume your usual behaviour. Sir, a man will no more carry

pain and expression of judgement from the organs representing the sufferers. Knowing that our appeals have been in vain and that the passion of vengeance is blinding the nobler vision of statesmanship in our Government, which could so easily afford to be magnanimous as befitting its physical strength and moral tradition, the very least that I can do for my country is to take all consequences upon myself in giving voice to the protest of the millions of my countrymen, surprised into a dumb anguish of terror. The time has come when badges of honour make our shame glaring in the incongruous context of humiliation, and I for my part wish to stand, shorn of all special distinctions, by the side of those of my countrymen, who, for their so-called insignificance, are liable to suffer degradation not fit for human beings.

These are the reasons which have painfully compelled me to ask Your Excellency, with due reference and regret, to relieve me of my title of Knighthood, which I had the honour to accept from His Majesty the King at the hands of your predecessor, for whose nobleness of heart I still entertain great admiration.

Yours faithfully,
Rabindranath Tagore

#In Punjab there is a tradition (do not know whether it still exists or not). If someone dies, people are brought on rent for expressing grief around the dead body. These rented griever take part along with the laments of the relatives of the dead person with loud wails. Beating of chests and in that way announce the death. This is called 'siapa'. To make fun of the Lieutenant Governor of Punjab, the women inside the houses in Lahore imitated that, the moment Michael O'Dwyer, a day before the announcement of Marshal Law, entered the old city to make the shops open, which were closed due to strike for long five days. The fake 'siapa' said to him that his entry in the city is a bad omen, grievous like the appearance of death.

*Article published in Sharadiya Desh (1355)

the artifice of the Bar into the common intercourse of society, than a man who is paid for tumbling upon his hands will continue to tumble on his hands when he should walk upon his feet. It is argued that what a lawyer says is not the expression of his own mind and opinion, but rather that of his client. A lawyer has no right to state his own thoughts. He can only say what his client would have said for himself had he possessed the proper skill to represent himself. Since a client is deemed innocent until proved guilty, a lawyer's knowledge that his client is guilty does not make him so.

As one attorney put it:

The lawyer is indeed only the mouthpiece and prolocutor of his client, and the underworld, in their characteristically graphic manner, indeed call their lawyers the mouthpiece. It is well to remember that an advocate should never become a litigant, as it were, and must never inject his own thoughts and opinions into a case.

It is asked:

How can a lawyer, or any person for that matter, know whether a person is guilty before his guilt is established? "To be guilty" under our concepts of due process means to be so adjudged after a trial by a jury or court as due process in the particular case may require. A person charged with crime might be completely deprived of counsel. For all the lawyers in the community might believe him guilty and wash their hands of him.

Again:

How does such prejudice of guilt differ from the lynch mob, which is equally so convinced of guilt that it considers a trial an idle ceremony? True, to be strung up by the lynch mob without a trial may be somewhat more embarrassing to the victim than to submit to a trial without counsel, but, if defense counsel plays the important role which lawyers like to think he does, a person charged with crime is indeed in an unhappy position if he has to rely on his own knowledge of the law and wits to counter an experienced prosecutor bent on conviction and whose success is measured by his percentage of convictions.

Another lawyer contends:

On undertaking a client's cause, he must wipe out the villainy of the defendant with all the resources at his command. Are not the facts that are unfavourable to his client to be left for the prosecution?

If the lawyer may see the better way and approve (not to foster claims that are wrong) the circumstances that compel him, especially in criminal cases, to follow the lesser. Thus the lawyer lives with the maxim: "Video meliora proboque deteriora sequor." Such an attitude we submit entirely overlooks the bifurcated robes of a lawyer. The duty is not simply one which he owes his client. Just as important is the duty which the lawyer owes the court and society.

Great as is his loyalty to the client, even greater is his sacred obligation as an officer of the court. He cannot ethically, and should not by preference, present to the court assertions he knows to be false.

(To be Continued)

The Charter

Behar Herald, published from Patna is the oldest English weekly of Bihar and one of the oldest English weeklies of India as well. Beginning its journey in 1875 AD, it has retained till date the record of being published regularly for more than 110 years.

Eminent and learned media enthusiasts of yesteryears from the bengalee community of Bihar ran the weekly for decades. In the year 1938 Bengalee Association, Bihar was formed. In that very year the ownership of the weekly was transferred to the Association. Since then the Bengalee Association, Bihar and its leadership took care to publish this weekly as its own voice.

The sail was never smooth. Shortage of funds, of volunteers to work for it appeared to be critical many a times. Management had to be taken over by some or other wealthier individual of the Bengalee community or his business unit, for short periods. Yet the trust of Association with Behar Herald never ceased. To quote Rabindra Nath Thakur, the Gurudev, from the blessings he had given to the weekly on 4th Oct' 1938:-

**Death, I refuse to accept from thee
That I am nothing but gigantic jest of God.
That I am annihilation
Built with all the wealth of the Infinite.**

Up to 1987 the journal continued. But then the publication ceased.

Now, in 2015 the Bengalee Association, Bihar has again taken up the challenge to publish it. The New Series of Behar Herald was inaugurated on 15th July 2015.

Since inception, democracy and secularism have been the motto of the weekly, with representation to all minorities to use the weekly as their forum for rights.

The test of democracy lies in the sense of securities that a minority feels in any society. No minority can expect, consistent with values of democracy and secularism, any special treatment or favour. Likewise no minority must ever be denied rights and securities that the Constitution guarantees.

It is our earnest endeavour to work tirelessly and relentlessly for restoration of pride and glory of our state – Bihar, the ageless Bihar.

We dedicate ourselves towards achieving the same.

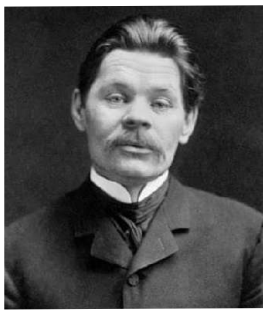
Committee for Behar Herald
Bengalee Association, Bihar

With best compliments from -

Dr. Supriyo Mukherjee

Secretary

Samastipur Branch, Bengalee Association, Bihar



Maxim Gorky

Born: 28 March 1868
Died: 18 June 1936

[Fondly remembering the great Russian writer who changed the literature of all the languages of the world by his one novel, Mother.]

Mother (excerpt from the novel 'Mother')

- Maxim Gorky

Two weeks after the death of his father, on a Sunday, Pavel came home very drunk. Staggering he crawled to a corner in the front of the room, and striking his fist on the table as his father used to do, shouted to his mother:

"Supper!"

The mother walked up to him, sat down at his side, and with her arm around her son, drew his head upon her breast. With his hand on her shoulder he pushed her away and shouted:

"Mother, quick!"

"You foolish boy!" said the mother in a sad and affectionate voice, trying to overcome his resistance.

"I am going to smoke, too. Give me father's pipe," mumbled Pavel indistinctly, wagging his tongue heavily.

It was the first time he had been drunk. The alcohol weakened his body, but it did not quench his consciousness, and the question knocked at his brain: "Drunk? Drunk?"

The fondling of his mother troubled him, and he was touched by the sadness in her eyes. He wanted to weep, and in order to overcome this desire he endeavored to appear more drunk than he actually was.

The mother stroked his tangled hair, and said in a low voice:

"Why did you do it? You oughtn't to have done it."

He began to feel sick, and after a violent attack of nausea the mother put him to bed, and laid a wet towel over his pale forehead. He sobered a little, but under and around him everything seemed to be rocking; his eyelids grew heavy; he felt a bad, sour taste in his mouth; he looked through his eyelashes on his mother's large face, and thought disjointedly: "It seems it's too early for me. Others drink and nothing happens- and I feel sick."

Somewhere from a distance came the mother's soft voice:

"What sort of a bread-giver will you be to me if you begin to drink?"

He shut his eyes tightly and answered:

"Everybody drinks."

The mother sighed. He was right. She herself knew that besides the tavern there was no place where people could enjoy themselves; besides the taste of whisky there was no other gratification. Nevertheless she said:

"But don't you drink. Your father drank for both of you. And he made enough misery for me. Take pity on your mother, then, will you not?"

Listening to the soft, pitiful words of his mother, Pavel remembered that in his father's lifetime she had remained unnoticed in the house. She had been silent and had always lived in anxious expectation of blows.

Desiring to avoid his father, he had been home very little of late; he had become almost unaccustomed to his mother, and now, as he gradually sobered up, he looked at her fixedly.

She was tall and somewhat stooping. Her heavy body, broken down with long years of toil and the beatings of her husband, moved about noiselessly and inclined to one side, as if she were in constant fear of knocking up against something. Her broad oval face, wrinkled and puffy, was lighted up with a pair of dark eyes, troubled and melancholy as those of most of the women in the village. On her right eyebrow was a deep scar, which turned the eyebrow upward a little; her right ear, too, seemed to be higher than the left, which gave her face the appearance of alarmed listening. Gray locks glistened in her thick, dark hair, like the imprints of heavy blows. Altogether she was soft, melancholy, and submissive.

Tears slowly trickled down her cheeks.

"Wait, don't cry!" begged the son in a soft voice. "Give me a drink."

She rose and said:

"I'll give you some ice water."

But when she returned he was already asleep.

She stood over him for a minute, trying to breathe lightly. The cup in her hand trembled, and the ice knocked against the tin. Then, setting the cup on the table, she knelt before the sacred image upon the wall, and began to pray in silence. The sounds of dark, drunken life beat against the window panes; an accordion screeched in the misty darkness of the autumn night; some one sang a loud song; someone was swearing with ugly, vile oaths, and the excited sounds of women's irritated, weary voices cut the air.

Life in the little house of the Vlasovs flowed on monotonously, but more calmly and undisturbed than before, and somewhat different from everywhere else in the suburb.

UN to raise global awareness of 1971 Bangladesh genocide



Google Doodle appearing on the search page on 26th March 2019

shine a light on genocidal acts committed by Pakistani forces during Bangladesh's 1971 war of independence, a top U.N. official has said.

Adama Dieng, the U.N. secretary-general's special adviser on the prevention of genocide, made the pledge to Bangladeshi Prime Minister Sheikh Hasina on March 24.

"Though some countries may oppose, we will raise the issue of Pakistani genocide in Bangladesh during the liberation war in the international forum," said Dieng in comments reported by state-run news agency BSS.

Dieng visited Bangladesh ahead of the country's Independence Day on March 26.

Hasina described to Dieng the scale of the atrocities committed in 1971.

"Over three million people were killed, and 200,000 mothers and sisters were violated by the Pakistani occupation forces and their local collaborators," Hasina said.

Activists say recognition for the 1971 genocide is long overdue.

"The 1971 genocide remains unknown and unrecognized to the world due to Bangladesh's failure to raise it properly in international forums," said Shahriar Kabir, president of the Committee for Secular Bangladesh and Trial of War Criminals of 1971.

Kabir has been a part of the effort to have March 25 declared as National Genocide Remembrance Day in 2016. "We have enough information and evidence to support the claim for genocide," he said.

Recognition of what occurred is required to heal wounds that still hurt today, said Holy Cross Father Liton H. Gomes, secretary of the Catholic Bishops' Justice and Peace Commission. "The recognition of the genocide is important, and it is long overdue," Father Gomes said.

The priest said if the 1971 genocide had been dealt with justly, the Myanmar military would have had second thoughts before doing what they have been doing recently to Rohingya Muslims in neighboring Myanmar.

A long road to independence

During the 1947 British partition of India and Pakistan, Bengali Muslims of East Bengal joined Pakistan and it was renamed East Pakistan in 1956.

Despite making up the majority in Pakistan, Bengali people faced widespread socioeconomic, cultural and political discrimination from the West Pakistani political and military establishment for years, triggering a call for regional autonomy and self-rule among Bengali people.

During the first general election of Pakistan, the Awami League led by Sheikh Mujibur Rahman, father of Hasina, secured an absolute majority.

West Pakistani ruling elites and the military refused to transfer power to the Awami League, which sparked violent street protests across East Pakistan.

In response, the Pakistan government unleashed Operation Searchlight, a genocidal military crackdown on March 25, 1971.

Sheikh Mujibur Rahman declared independence

Continued from Page-2

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We and our police

We, the common people get scared whenever something happens which require us to go to the police. Their experiences give them reasons to be scared. Even the police department knows about it and they try to be friendly and easily approachable to the people in need. But we need to know about this civil security force as well. Behar Herald is serializing the question and answers in its issues to get the readers informed and also aware of their rights as citizen. The material being published here are available at the website of Maharashtra Police.

(Continued from last issue)

66. Will the police automatically arrest everyone named in the FIR?

No, and they should not. Just because someone is named in an FIR is no reason to arrest a person. It is only when there is sufficient ground for believing that a person may have committed a crime that the police can arrest him.

67. Can the police close my complaint and not take further action?

Yes. If after making their own inquiries the police decide that there are no facts that support the idea that a crime was committed or there is not enough evidence to support allegations or acknowledge that a crime has been committed but the people who did it are not known - then they can close the case after giving reasons to the court. They must also inform you of their decision. You, then, have a chance of opposing the closure before the court.

68. Will I be kept informed of the progress of my case?

There is nothing specific in the law which requires the police officer to keep you informed about the progress of a case. But it is good practice to tell a complainant how the case is going provided it does not compromise the investigation.

69. What can I do if the police are not investigating the matter or are doing so very slowly or refusing to examine the most obvious lines of inquiry?

There is an important principle in law that no one can interfere with police investigation. That said, if the police refuse to move forward or do it excessively slowly or willfully disregard obvious lines of inquiry you can certainly complain to senior officers or to the nearest magistrate who can order the police officer to investigate and he can as well call for the record of investigation. Again, it is important for you to ensure that everything is done in writing and a record of receipt kept with you.

70. Can I call a police officer whenever I want?

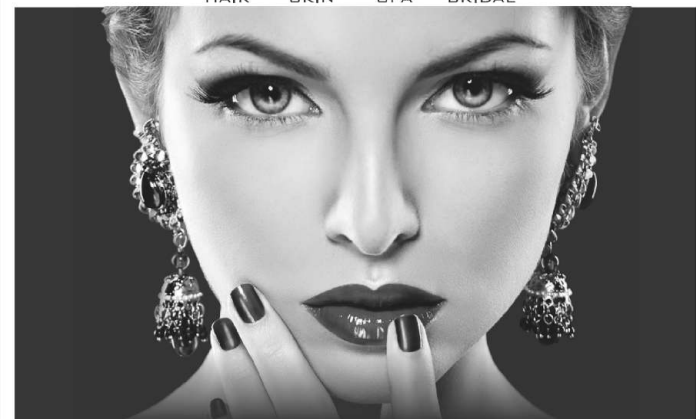
Yes and no. The police are overworked and their numbers are few, so the public cannot constantly call them up with frivolous complaints and unsubstantiated information. However, of course you can call the police if you are in trouble, if a crime has occurred or is occurring, if there is likelihood of some riot, if some people are fighting and there is likelihood of disorder, or if you have serious information to give them. But you cannot call the police for things that are not connected with their job. Sometimes people play mischief and call the police even if nothing has happened. You can be punished for such pranks.

Matrimonial

Wanted B.Sc, M.Sc, Engineer etc., educated in English medium, beautiful Bengali bride (caste no bar) for M.Tech (Gold medalist from Indian Statistical Institute), 26 yrs. 5' 10", 17+ lakh yearly salary, handsome Bengali, Kayastha boy. Send profile with photo of girl to **WhatsApp No. 8709219946.**

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