

Munshi Ram Prasad

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After the annexation of the Punjab, which, despite the myth of hard fought battles, was never conquered, but was a gift to Dalhousie, the author of the infamous doctrine of lapse by the Phulkean States, headed by Patiala and assisted, in this perfidious game by Gulab Singh, the ruler of, Jammu, a fresh revenue settlement was considered necessary. Some Indian officers of outstanding merit, with a special knowledge of revenue law, were sent to the Punjab. One such officer was Munshi Madho Prasad, who was then a Deputy Collector in these provinces. He served there with great distinction. He belonged to Allahabad. He was the father of three sons, Ajodhya Prasad, Kamta Prasad and Ram Prasad. The first two, like their father, became Deputy Collectors. The third, the subject of this sketch, was offered the same post, which was then the summit of an Indian's ambition. But he chose the legal profession. He qualified himself as a Vakil and settled down at Allahabad, his home town. He started practice in the district courts. He soon picked up a good practice both on the civil side and criminal. Those were not the days when a young man had to "luxuriate in a briefless existence" and wait long; but, even as it was, his success was almost phenomenal. He caught the eye of Mr. Knox, later Sir George Knox, an Englishman of large and liberal sympathies, who was at that time the Small Cause Court Judge, Allahabad, a post then reserved for the members of the I. C. S. Mr. Knox secured him the post of the District Government Pleader, which then was a very coveted office, both for its emoluments and its dignity. It meant not only the titular, but also the de facto, leadership of the Bar. Unlike today, when merit is not the only, even the principal, test, the best men at the Bar used to be selected for the office. He had already made his mark as a very astute lawyer with a commanding practice on both sides and his choice was not unexpected. He, it was a foregone conclusion, eminently justified it. He was, after a year or so, the undisputed leader of the District Bar. After a few years, Sir P. C. Banerji was appointed to succeed Mr. Knox, who was elevated to the office of the Legal Remembrancer, a post then marked out for members of the I. C. S. of outstanding merit and ability. Sir P. C. Banerji was the first Indian to hold that office. He too formed a very high opinion about Munshi Ram Prasad. Then followed an event, unique in the annals of judicial appointments.

Munshi Jwala Prasad, who was the Government Pleader, High Court retired. The post was, according to tradition and practice, expected to go to one of the leading and senior practitioners of the High Court. But, to the surprise of all and disappointment of a few, it went to an unknown-at least in the High Court-young man, who was a stranger to the High Court. Mr. Knox, who, as said above, had formed a very high opinion about the subject of this sketch, was then the Legal Remembrancer. The office was virtually in his gift. He straightaway appointed him Government Pleader, High Court. It was a serious disappointment to the candidates and aspirants for the office and attempts were not wanting to make his task difficult. But, so well did he adapt himself to his new environments and so conspicuous was his success, that, in the very first case he argued for the Crown-it was a Government appeal from acquittal in a murder case, in which the Government Advocate had somewhat hurriedly and unexpectedly passed on the brief to him-he was openly and highly complimented by Sir Douglas Straight, one of the, ablest Judges, Allahabad ever had.

But, in the case of Munshi Ram Prasad, the rubicon was crossed and, within a few years, he shared the leadership of the Bar, on the civil side with Colvin, Conlan and J. N. Chaudhri. Sunder Lal, though he had joined the High Court earlier, came after him. Moti Lal Nehru was also rapidly forging ahead. On the civil side, among the Barristers, was another very gifted young man, Strachey who was also making very rapid strides both as a civil and criminal lawyer. As Government Pleader he had to encounter Sir Walter Colvin who was at the top also on the criminal side, Strachey till his appointment as Government Advocate when Hill was raised to the Bench at Calcutta, Charles Coleman Dillon, Ross Alston and Chamier. Later Strachey went to Bombay as a puisne Judge and returned to Allahabad as its Chief Justice. Chamier succeeded Strachey, then he went to Lucknow as the Judicial Commissioner, returned to Allahabad as a puisne Judge and finally went to Patna as its first Chief Justice in 1915. What a galaxy of names! I had heard Dillon and Alston and Moti Lal Nehru too, once or twice. When I think of the forensic encounters of these giants, I find myself in the wonder-land. Would that those spacious days could come back! Then could we proudly say, what was said of those days that what the Bar thinks today, that the rest of the country thinks tomorrow.

When my father entered the profession he straightaway joined the Chamber of Munshi Ram Prasad. Father used to tell me amazing stories of the intellectual gifts of his senior. He was an all-rounder, a great advocate, a perfect draftsman, a first rate case builder and a brilliant cross-examiner. He could pick up the brief in no time, however complicated the facts or heavy the brief or difficult the questions of law. There was something Napoleonic in his mental equipment. Napoleon, they say, could do several things at a time. Munshi Ram Prasad could, it is said, attend to a number of his manifold activities at one and the same time. His arguments were short, pithy, effective and left nothing to be desired. He was, for this reason, a special favourite of the Judges. Father used to say that at Allahabad Sir Walter Colvin alone could be mentioned in the same breath with him. Both excelled in every branch of the law and in every phase of an Advocate. Later in life I pointedly put it to Dr. Tej Bahadur Sapru, Mr. Satya Chandra Mukerji and Munshi Haribans Sahai. They all agreed, but Dr. Sapru added a rider. To him Conlan, Colvin and Ram Prasad stood on the same footing. But, be it noted, that Conlan was an exclusively civil lawyer.

He was one of the four successful advocates whom Sir John Edge, for the first time since the establishment of the High Court, raised to the status of an advocate in 1896. It was a bold step of great imagination and, at least in some measure, heaved down the barrier of ages. The other three were J. N.

Chaudhri, Sunderlal and Moti Lal Nehru. There was hardly an important case in which he did not appear. He remained at the top till the end.

He was a man of versatile activities. He took a keen interest in the educational problems of the country. He was the President of the Kayastha Pathshala, then too, one of the foremost educational institutions of the Province. Its founder, Munshi Kali Prasad, was one of the leaders of the Lucknow Bar. Its first and life President was Munshi Hanuman Prasad, one of the leaders of the Allahabad Bar. After the latter's death the crown was placed on the head of Munshi Ram Prasad and a more deserving choice could not be made. Cassandras were not wanting who predicted a dismal future, because, they argued, his hands were already too full. But, they all turned out false prophets. To his massive mind the fresh responsibility hardly meant an added burden. The institution made enormous strides during his regime.

If a slight digression is permissible, Satish, before he formally joined the legal profession had to acquire distinction of sitting at the feet of the peerless Mahmood, as before him, Sir Arthur Strachey had done. Strachey and Satish were Mahmood's greatest pupils. To Munshi Ram Prasad and Munshi Hanuman Prasad alone did the Kayastha Pathshala owe its distinguished position. If Munshi Kali Prasad founded it and Munshi Hanuman Prasad nursed it, it was during his regime that it flowered into something unique.

He was a deeply religious man. The magnificent temple built by him and known after his name, with its lawns and other accessories, in the heart of the town, is a monument of his devotion to his faith. Most of his time, both morning and evening, was occupied with his religion. In the morning, he hardly gave an hour to his profession or to his other activities. His programme in the evening was characteristic of him. After return from court, after a short rest, he would go with my father to his temple. Some times I also accompanied him. Learned Pandits, Sadhus and religious divines of other persuasions too, would gather and hold discussion till late in the evening. I was too young to follow anything except this that even in that august assembly he was like a "tall cliff" that dwarfed the rest.

Even as a young man he was sedate like Milton, whose

"Pleasures were of crimeless kind,
That ne'er taint the soul."

One phase of Munshi Ram Prasad's character has always to be emphasised. No junior in need approached him in vain. Preference may be made to one case in particular. Munshi Ram Prasad assisted by my father argued a heavy First Appeal from Aligarh for the appellants and convinced the Judges in his favour. Mr. Conlan, replying for the respondent, cited in his favour an English authority. Sunder Lal had brought out the case, after great deal of research, Conlan succeeded in almost turning the scale. My father as though instinctively, rushed up to Dr. Satish Chandra Banerji, who though still very young, had made his mark for scholarship. Satish gave father a later English authority dissenting from the earlier one. The table turned and Munshi Ram Prasad won. The client paid a heavy amount on account of what is technically called *shukrana*. Munshi Ram Prasad directed father to pass on the entire amount to young Satish. The latter declined, but was ultimately prevailed upon to accept it. I know of only such instance. Placed in similar circumstances, Mr. W. C. Bannerji gave the entire sum to a young and obscure junior, who subsequently rose to unattainable heights Satyendra Prasanna Sinha, later Lord Sinha.

It is not surprising that he was not only respected, but also loved. On the death of Hallam, Tennyson said:

"If all the world had known the heart
I would deem the praise he had it
yields, Scanty.

When Ram Prasad died, Sir George Knox, then Acting Chief Justice, spoke most feelingly:

"I deem it a privilege that it was given to me as Legal Remembrancer to appoint him Government Pleader of this Court. I am proud and happy to say that, at no moment of his life, did he disappoint the expectations I had then formed of him."

A richer tribute to a lawyer could not be paid, never was it better deserved.

It was said of Sir Rash Behari Ghosh that men like him, by their very presence, raise the stature of the profession. So can it be said about the subject of this sketch. As I dwell, in my mind, upon his exalted character and noble heart, I feel that he possessed, what is essential for success in every sphere of life, that great virtue, which Morley ascribed to Mill, his preceptor and guide,

"Wisdom and goodness
and that rare union of moral
ardour with a calm
and settled mind"

and, I might add, that generous purpose to give the best of himself to every noble cause.