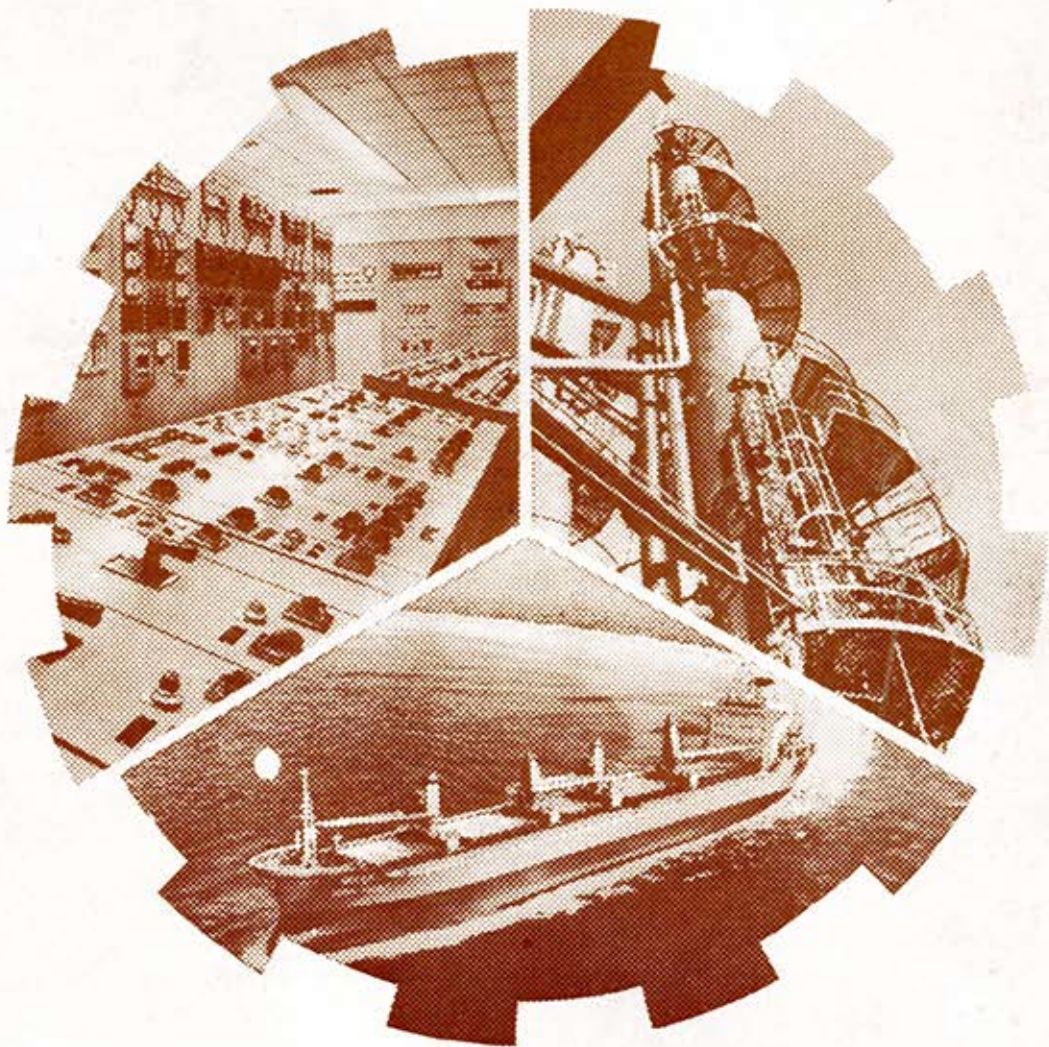


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Parsiana

August 1982
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Mr. Fali Meherji Variava,

Director

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Readers' Forum

Readers' views are welcome on any subject of interest to the community and should be sent to the Editor, Readers' Forum, Parsiana, G.P.O. Box 892, Bombay 400 001. Letters are subject to editing for reasons of space and clarity.

Tithal Sanatorium

In May this year, my family and I visited Tithal village in Gujerat. We went around the village which is now prospering and expanding into a town. Many wealthy Gujeratis are purchasing land and property, offering high prices and tempting village landowners to dispose of their lands.

We also visited the Sanatorium built by the noble lady, late Ratanbai Hirjibhai Patel, on 20 acres of land close to the seashore. There are four, large, one-storeyed houses, a large residential home for the benefactor of the sanatorium, and a huge structure meant for kitchen and servants quarters. All the buildings are in an extremely bad state. Although the sanatorium is located in a prominent place, it has a deserted look due to the dilapidated condition of the houses.

Why have the trustees failed to safeguard the property and allowed it to get into a state of ruin, so much so that one dares not go too close to the houses, much less to enter into any one of them?

Have they cared to inform our brethren about this excellent summer and winter health resort?

Is there a provision in the law, by which these 20 acres of land can be sold and transferred to intending Parsi buyers? By creating one to two acre plots, a dozen families and their relatives and friends can avail themselves of this fine health resort. Suitable houses or bungalows can be built with gardens for growing fruits, flowers and vegetables as there is ample provision for water.

The trustees (Ms Shirinbai Naoroji Narierwala, Bombay, Dr Rustomji Jehangir Patel, Bombay, Boman K. Boman-Behram, Bombay, Hormusji Dorabji Charna, Bulsar and Phiroze D. Billimoria, Bulsar) could do a lot, if they wish, to induce some of the charity trusts to reconstruct the houses, renovate the surroundings and appoint an energetic manager for the proper super-

vision and management of the property.

Alternatively the property can be sold to Zarathustrians who are in a position to pay a good price for plots of one to two acres per head. This will serve the double purpose of keeping the land within the community while collecting enough money to provide a building in one of the Parsi colonies for those who have been, for years, on the waiting list of the Bombay Parsi Punchayet trust and fund register.

A.B. BHIWANDIWALLA
Bombay

"Mixed Priorities"

Brig. N.B. Grant of Pune raises an important question (Readers' Forum, *Parsiana* May 1982): Why the extraordinary growth of the Baba cult among Parsis?

One answer would surely be, that this trend is due to our becoming materialistic. With materialism, superstition creeps in, and where there is superstition, there is no faith.

Our religion teaches us to serve others, wanting nothing for ourselves: "Khshathrem - cha Ahurai a yim dregu-byo dadat vastarem" - Strength of the Lord is given him who helps a brother in need.

"Ushta ahmai yhmai ushta Kahmai-chit" Happy is he who brings happiness to others.

When we stop living our religion, and are on the make—we lose faith. Once so many in our community lived their religion, it was their way of life, and gave it meaning. When religion is emptied of meaning, people look elsewhere to fill the void.

K.M. KALAPESI
Bombay

Brig. N.B. Grant has criticized the Baba Cult (*Parsiana*, May 1982). I wonder if Grant has in mind people like Sathya Sai who do not believe in cults. His teaching is based on our trio *Manasni*, *Gavasni* and *Kunasni*. In his emblem

there are signs of all faiths which includes Fire. Time and again he has preached that every one should stick to his own doctrine and religion. Sathya stresses the points on *Satya Dharma*, *Shanti* and *Prem*. Had not Zarathustra taught us *Ashoi* (truth, tolerance, restraint and love).

Sathya said (*Blitz*, 23-1-1977): "Zoroastrianism... was founded by Zoroaster, who wanted that man should ever have the Fire of Wisdom blazing in his Consciousness, so that evil thoughts and tendencies might be reduced to ashes. It has to infuse all thoughts, words and deeds with the illumination of virtue and vigour. The Fire of Wisdom must destroy all worldly desire and render man pure for entry into the heaven of freedom. Adoration, meditation and acts of selfless service are essential for the dawn of enlightenment."

Sathya Sai Baba repeats "There is one religion—that of Love. There is one Language—that of the Heart. There is one Cast and that is the Cast of Humanity. There is one God and He is omnipresent."

If anybody has any doubt, let him read *Sixteen Spiritual Summers* by Indulal Shah: "Nirguna Upasana consists in contemplating on the formless God, the acme of perfection—may it be Brahman... Father of the Christians... (or) Ahura Mazda of the Parsis." Again: "Yonder is the living Sun Oneness in essence Supreme, governs the whole universe ever illuminating the hearts of devotees." Does this not remind Parsis of *Khorshed Nyaish*?

Indulal writes "The most significant feature of this revolution is Baba's firm refusal to allow anyone to change the religion in which he is born and brought up. 'I have come', says Baba, not to disturb nor destroy any faith but to construct and confirm each in his own faith'."

FRAM F. MULLAN
Udvada

"Happy Birthday to you!"

The cover page (*Parsiana* May '82) poses the question whether, the way Parsis celebrate their birthdays by blowing off lighted candles on a birthday cake should be tolerated, and asks what was the custom in ancient Iran.

I feel that the root cause for this misunderstanding lies in Parsis being erroneously dubbed as Fire Worshipers, which we are not and never have been. The prophet Zoroaster, when propagating his great religion, had enjoined us to

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"Keep the fire in our hearts eternally burning, and let that internal flame never be quenched." He further went on to explain that "as an emblem of that fire in our hearts, we may pray before an earthly symbol, so as to remind us of the real fire within". But alas, Parsis appear to be doing just the opposite. We have forgotten to burn the inner flame in our hearts, and have started worshipping the external fire made of earthly fuel; Zoroaster had never intended us to do this.

Secondly, the custom of blowing off candles on a birthday cake is now universal throughout the world, and has no religious significance. It is like celebrating New Year's eve, which we Parsis do with the same gusto as Christians. I wonder how ancient Iran celebrated its new year!

Lastly, after 1,200 years or so, let us stop continually trying to establish a link with ancient Iran which threw us out, and instead let us wholeheartedly associate ourselves with Bharat which gave us shelter.

BRIG. N. B. GRANT (RETD.)
Pune

I am rather sorry that you have taken the poor children to task but not their parents. (*Parsiana*, May 1982).

Have you not seen their Fathers smoking cigarettes? But a child blowing out candles is considered more sinful than adults smoking a pipe or a cigarette. Occasionally I have seen Parsi men and women going to the Ateshbehram, the women without *sores* and with only a scarf and men with handkerchiefs on their heads. Can they not afford to buy a cap costing Rs 8 and which lasts for two to three years?

I have also seen many Parsis enjoying ghambar lunches without caps and even resorting to (*Chasney*) Baj Prayer Fruits without caps or *sores*. Can this be tolerated? What was the custom, in the ancient land of Iran?

NAREIMAN S. BAXTER
Pune.

Fuelling Fire

Within the space of a few years, the Parsi community will be faced with the prospect of having to close down its atash-behrams and agiaris in India due to an acute shortage of bavalwood. Already signs of the crisis are becoming evident in the fire temples of Maharashtra and Gujarat.

The Zoroastrian community as a whole should wake up to the fact that as

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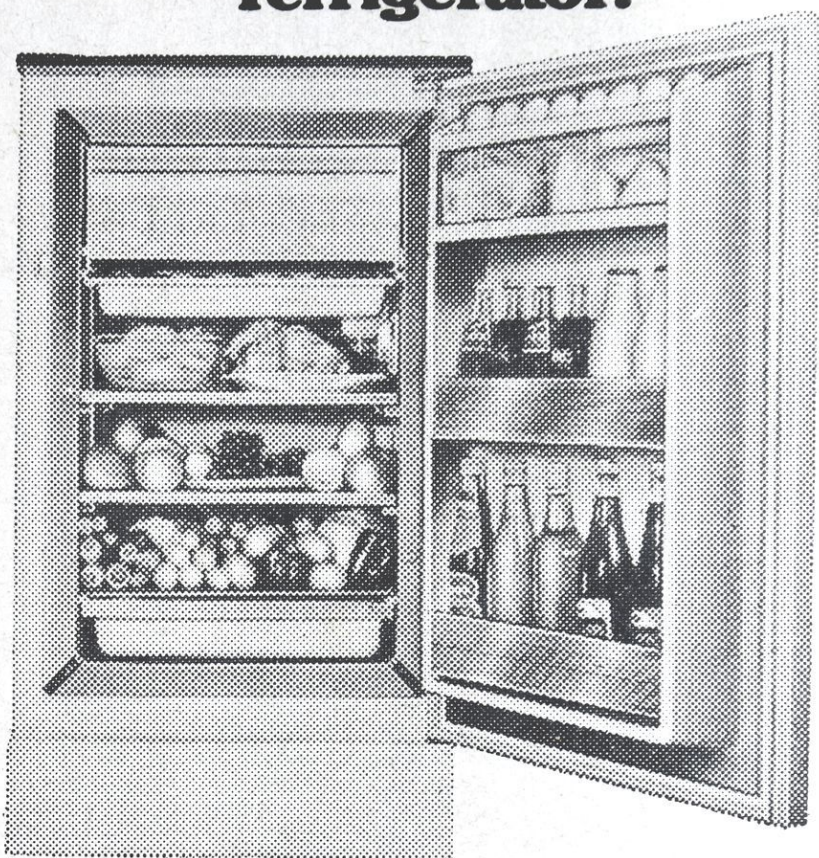
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bavalwood trees are being cut down, new ones are not growing to replace them. Hence, if we do not take the initiative and sow the saplings now on vacant lands held by the Parsi Panchayat and other trusts, we will be making the biggest blunder in the history of our community.

Even cosmopolitan trusts can join in the effort. The Gujarat government is offering incentives for tree planting. We should avail of it. The tree takes eight years to grow before it is ready for cutting and needs to be tended. Neglect can kill it. Steps should be taken to ensure that the trees are not used for fuel by other communities. Once the trees are grown, the money invested in them will be realized.

The fuel requirements of the 155 agiaries and eight atash-behrams in India should be estimated. But the agiaries and atash-behrams should not expect the trusts to meet all their requirements.

Further every Parsi can contribute his mite to keep the fire burning in our agiaries by contributing to an All India Zoroastrian Kathi Fund. Fifty percent of the amount collected should be capitalized, 25 percent should be made available to grow trees, and 25 percent should be distributed in the form of Kathi to all the agiaries in India.

Implementing such a project would involve building up a volunteer force who will deliver the bavalwood to the various agiaries and atash-behrams. What is also important is that the trust should be managed by honest, sincere persons willing to spare the time.

The views of lawyers, eminent scholars are welcome.

K. D. SHROFF.

A Brief for Cursetjee

During the centenary celebrations of the Bombay presidency small causes court at Bombay, no mention was made of Mr Manockjee Cursetjee my great grandfather, who became a judge of the small causes court when it was established in 1952. (Reference: *Builders of Bombay, The Bombay Civic Journal* - January 1957). He rose to be the first Indian Chief Judge of the small causes court at Bombay, retiring in 1874 on a special Good Service Pension of Rs 500 per month.

In 1863 he also became a Justice of the Peace and a member of the Grand Jury and twice the Sheriff of Bombay, in 1856 and again in 1863.

It was as the first Indian Chief Judge

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of the small causes court that he evoked universal admiration. *The Illustrated Times* (London) wrote of him on 16th November 1867: "During the last 15 years he (Manockjee) has occupied the Bench of the British Court of Justice at Bombay, before whom British barristers have appeared to plead. As a Judge he has, by his extensive knowledge and unshaken integrity, won great honour, commanding the respect of all who admire justice."

"During a debate in the House of Lords on an appeal by this disinterested Judge to restrain the Bombay Government from interfering in judicial matters, Lord Chancellor Chelmsford quoted the following from a resolution of the Governor in Council. 'His Excellency in Council recognises in Mr Manockjee Cursetjee many valuable qualifications for judicial office... incorruptible integrity, fearless independence, energetic zeal to ascertain the truth, honest scorn for all chicanery, and very considerable acumen in estimating the value of evidence'."

A lasting memorial to a man who upheld the equality of the rich and the poor alike where justice had to be done, is The Alexandra Girls' English Institution. Started by Manockjee at his residence, near the Byculla flyover, the institution is open to girls of all creeds, for teaching them English. Originally named the "Young Ladies' Institute" it was in honour of the marriage of Alexandra, Princess of Denmark to the Prince of Wales, (King Edward VII), that the school got its present name in 1863.

Initially there were only 7 pupils and an English head-mistress assisted by Manockjee's own two daughters, as teachers. In recognition of its high standards and daring initiative the Government has made it an "Experimental 'A' Class School".

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tions controlling marriage connections. It is immaterial in India if our Parsi brethren follow racial segregation in the same way or even in a stricter sense. But this practise should not deter cultural interchanges between Parsis and non-Parsi Zoroastrians and Indian Juddins. The possibility of accepting pilgrims into temples of Holy Atash apart, there should be frequent seminars on the messages of Avestas and the history of the Persians concluding with congregational prayers with the manthras of the Gathas, in sessions open to all mankind. The suggestion of Cyrus Pangborn, from New Jersey U.S.A. (Readers' Forum *Parsiana*, May 1982), that congregational halls managed by the laity is more beneficial than the setting up of pilgrimage points should be given due credence.

The caste-*gotra* segregation amongst the majority of Indians has prevented families from adopting orphans spontaneously. The institution of monkhood practised by Buddhism and Jainism and the various Yogi sects, and later by Sankaracharya and others, provided shelter to them but in celibate living only. Not even Swami Vivekananda, Sri Aurovindo or Acharya Pranavananda Maharaj of modern times could find appropriate solutions, so they were compelled to become celibate monks themselves to provide possible shelter to the homeless multitudes. The Zoroastrians reject monk-life, for very good reasons. As a corollary there must be a way of accepting orphan children as members of a family, and there is no alternative to this. There are specific instructions in The Gathas and the support of many Parsi Zoroastrians (Readers' Forum, *Parsiana*, May 1982).

Guru Nanak overcame the problem of *smritis* by accepting all humankind in his own community and Guru Govinda Singh went a step further by allowing the Khalsa Sikhs to declare themselves as belonging to the Guru's own *gotra*. The Khalsa Sikhs do not convert others much, but their congregational prayers and congregational kitchens are ever open to all mankind without discrimination or segregation over the seating arrangements. Orphans of *smriti* dominated sects are finding homes in Sikh institutions where some Sikh family will provide parentage to each child inmate. Would the Parsi Zoroastrian Punchayet consider a similar proposition?

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Events and Personalities

Riding High

The sensitive post of heading the Maharashtra State Road Transport Corporation has been handed over to **Gev Manchershaha Awari**, a member of the state legislative assembly (MLA) from Nagpur.

Son of the noted freedom fighter 'General' Manchershaha Awari, Gev



Awari: driving ahead

assumed his new office on 24 June this year.

Currently a member of the Estimates Committee of the Maharashtra Legislative Assembly, Awari since March 1980 has been president of the Nagpur City Congress (I) Committee and vice-president of the Maharashtra Pradesh Yuvak Congress (I).

A Master of Arts (M.A.) and a Bachelor of Law (LLB), Awari has won several university debating prizes and shields in English and Hindi, including first prizes as the best speaker while at Nagpur University. He was also president of the N.M.V. College Students' union and a student leader at Nagpur.

At the age of 24 he was elected municipal councillor of the Nagpur Municipal Corporation and two years later

became a Member of Parliament (M.P.), the second youngest M.P.

A bachelor, Awari is keenly interested in social work particularly in slum development and urban development schemes, notes his bio-data.

Tata Scholars, 1982-83

Fifteen Parsis are among the 80 Indian scholars selected by the J. N. Tata Endowment for post-graduate studies abroad, for the academic year 1982-83, notes a press release issued by Dinshah K. Malegamvala, a director of the trust.

They are: **Aspandiar K. Biok**, Mechanical Engineering, Purdue University; **Nitash P. Balsara**, Polymer Science, Clarkson College of Technology; **Nauzer J. Balsara**, Finance Management, Wharton School, Pennsylvania; **Firdaus P. Bativala**, Orthodontics, University of Medicine & Dentistry, Jersey; **Marazban P. Chhor**, Chemical Engineering, University of Florida; **Tushad K. Cooper**, International Law, Harvard Law School; **Rustom F. Doctor**, Computer Science, University of Kentucky; **Phiroze H. Dastoor**, Textile Technology, North Carolina State University; **Khodadad Godrej Irani**, Civil Engineering, University of Akron, Ohio; **Rohinton M. Karanjia**, Industrial Engineering, Columbia University; **Ms Khursheed N. Kanga**, Biochemistry, Brown University, Rhode Island; **Adil Dara Munshi**, Business Administration, Wharton School, Pennsylvania; **Ms Beheroze S. Mistry**, Food Technology, Ohio State University; **Tehmtan Toorkey**, Chemical Engineering, University of Cincinnati; **Ms Dhun M. Wadia**, Computer Science, Illinois Institute of Technology.

Established 90 years ago by Jamsetji Tata, founder of the House of Tatas, the J. N. Tata Endowment enables about 70 to 80 Indian graduates "with academic

records of conspicuous distinction" to go abroad every year for higher studies. The press release further mentions that since its inception the Endowment has awarded loan scholarships to the tune of Rs 1.25 crores to over 1,400 Indian scholars and "there is hardly a profession in the country which among its elite does not include a Tata scholar."

Justice Justified

The indictment by **Justice Bakhtavar Lentin** against the former Chief Minister A.R. Antulay for arbitrary allotment of cement was upheld by the division bench of the Bombay High Court. On 11 June 1982, Justice S.K. Desai and Justice B.J. Rele dismissed with cost, the appeal filed by Antulay and the State of Maharashtra challenging Lentin's judgment. In the case which was heard last December, Lentin had held that a link



Lentin: "reason for hope."

(nexus) had been established between allotment of cement to certain builders and the donation made by them to the

trusts floated by the former Chief Minister.

"By his judgement on Antulay's fund collection, Justice B. Lentin had given us reason for hope. Justice S.K. Desai and Justice B.J. Rele have re-inforced it," noted *The Indian Express* editorial of 12 June 1982. Establishing the impeccable reputation of Lentin, a senior judge of the Bombay High Court, the spectacular judgement created a stir in legal and political circles. "The stakes were so high that interested parties would have offered an astronomical figure to influence the judgement," commented *The Bombay Samachar* of 24 January 1982, adding that "this one judgement has put Justice Lentin in a class by himself."

Supporting this opinion was the Bombay based *Sunday Observer* weekly of 19 June 1982, "Justice Lentin's reputation in the High Court is formidable because his judgements have always been fine," he is aware of matters beyond the courtroom and is extremely painstaking in his examination of evidence.

The 55-year old judge was born into a rich Parsi family of Bombay; his mother, Freny Jabvala, was the second solicitor and the first lady notary public in Bombay notes the *Observer*. Educated at St. Mary's High School and St. Xavier's High School, he studied law at the Middle Temple, London.

Lentin whose primary hobby is "work", is said to enjoy reading and painting.

Seervai's Service

With some of the highest legal traditions in the country, the Bombay High court has always had luminaries who have struggled to safeguard the independence of the judiciary. The case challenging the transfer of High Court judges, which received a setback recently, was "a great fight for the independence of the Judiciary," noted H.M. Seervai, who with eminent Parsi jurists, K.S. Cooper and J.R. Gagrut fought the case against the law minister and the Union of India.

On March 18, 1981, a circular was issued by the law minister asking the consent of additional judges all over India to be 'appointed' or in substance, transferred to High Courts of states other than their own, noted Seervai. "However there was no commitment to appoint them as permanent judges at all



Antia, with his wife, receiving the Fellowship Award from ASM President John B. Giacobbe

after their term as additional judges came to an end," he said.

Presently the vice president of the People's Union For Civil Liberties, Seervai, 75, made 13 trips to Delhi to represent the case and did not charge any professional fees. "I have been committed to the independence of the judiciary all my life," he said. "The members of the bar collected nearly one lakh thirty five thousand rupees to meet out-of-pocket expenses to and from Delhi," he noted.

An expert on constitutional law, Seervai has won many Fundamental Rights cases. He has authored the book *Constitutional Law of India - a Critical Commentary*. His other writings include *Lectures in the University on the Position of the Judiciary Under the Constitution of India*; *The Emergency*; *Future Safeguards* and *The Habeas Corpus Case: A Criticism and Essays on Federalism in India* for the University of Mexico, published in Spanish.

On July 2, 1981, Seervai was honoured with a fellowship of the British Academy for his work on the Indian Constitution. His books would never have been published, had it not been for the encouragement and assistance of his wife Firoza, admitted Seervai who is already a grandfather and has three children Meher, Shirin and Navroz.

Fine Mettle

In recognition of his "pioneering and sustained leadership in the metallurgical profession in India", Dr Dara P.

Antia a world renowned metallurgist was elected a Fellow of the American Society for Metals, notes a press release issued by the ASM.

The honour was conferred on the 68 year old metallurgist at the Society's awards and annual dinner on September 22 last year at Cincinnati, Ohio, USA. The honour of Fellow represents "recognition to members for their distinguished contributions in the fields of metals and materials, to develop a broadly based forum for technical and professional leaders to serve as advisors to the Society", noted a letter signed by ASM managing director Allan Ray Putnam informing Antia of the fellowship.

The ASM which has over 50,000 members in 77 countries is "an educational society dedicated to the advancement of technical knowledge through the exchange of ideas and information on metals and related materials". Antia, an Industrial and Management Consultant, is currently chairman of three companies, Machine Tools (India) Ltd., Tega India Ltd., Techno Electric and Engineering Co. Ltd. and director on the board of 18 others. Described by *The Hindu*, Madras, as "a father figure on the Indian metallurgical scene", Antia also holds honorific and professional positions on many committees and governing bodies associated with metals and technology, and is president of the Indian Copper Information Centre.

With over 30 publications to his credit, Antia has won many awards and recognition both in India and abroad, among them, the first Syed Husain

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Zaheer medal of the Indian National Academy in 1980, and the Indian Institute of Metals' Platinum medal in 1967.

Antia who has been associated with planning the growth and development of the country's metallurgical industry for many years, was responsible for the post war development of the new metal industry, and made recommendations for the development of copper, zinc, aluminium and other metals.

Educated in Bombay and Benares, Antia graduated in metallurgical engineering from the Benares Hindu University and started his career as a trainee at Tata Iron and Steel Company, and then as a metallurgist at Godrej and Boyce Manufacturing Company, Bombay. He worked as a research assistant at the prestigious Massachusetts Institute of Technology, USA, for two years and later obtained his Ph.D in Physical Metallurgy and Mineral Economics at M.I.T. in 1943.

On his return to India, Antia worked with both the public and private sectors. He was appointed Secretary, Metals Industries Panel, Department of Planning and later during the post war years was Director of Metals, Government of India, responsible for helping conversion of all metal industries in India from war time to peace time economy.

Realizing the need for research and development of metals in India, he founded the Indian Institute of Metals in 1946, and saw it through the initial years as honorary secretary and later as its vice-president and president. Several of his years in the private sector were spent at Union Carbide India Ltd., as director and general manager when he introduced, for the first time in India, impact extrusion of aluminium and zinc and substitution of brass and copper by aluminium for many applications.

He served in several capacities in the metal industry and was in 1962 invited to become the honorary vice-president of the Iron and Steel Institute of the United Kingdom and an honorary member of the Council of the Institute of Metals, U.K. He has been on the board of several corporations as well as adviser to the Planning Commission and to the Industrial Development Bank of India.

Aware of the growing importance of the country's mineral wealth, much of which is being exported, Antia is consistently urging the Government of India to formulate and adopt a minerals policy for the coming decade, keeping in mind the future needs of Indian indus-



Bombay philanthropist Manjeckji Petit presenting a citation to retired president of the Vadodara Parsi Punchayet, Ms Goolbanu Sohrab Wadia.

try and defence.

He is also keenly interested in education and is a member of several education boards in the country. His other interests include cricket (while at B.H.U. he represented U.P. in the Ranji Trophy), golf and tennis. He also enjoys western music and was the president of the Calcutta School of Music for six years.

A Punchayet in Need

An ambitious fund raising campaign has been launched by the new committee of trustees of the Shri Parsi Punchayet, Baroda. "The Agiary building is in such a condition that it immediately requires to be repaired. It has not been possible to pay the Dasturji Sahebs minimum remuneration to live a simple life, let alone pay remuneration according to their status," says an appeal issued by the trustees.

"When the population of Zoroastrians is decreasing in other cities of Gujarat, it is gradually increasing in Vadodara due to public sector industries," notes the appeal. However as "middle-class working people form a big part of the population while the rich are few in numbers," and due to high costs and dire necessity, the trustees have decided to raise a large fund by appealing to all members residing in the country and abroad.

The new trustees were elected at the punchayet elections held on the 28th

March this year, with Edulji J. Dabhoiwala as president, and Behram R. Bhungara and Kersi S. Kavina as secretary and treasurer respectively. The other trustees elected are Jal R. Patel, Shavaksha F. Patel, Baman R. Cama and Aspi R. Vajifdar.

The appeal signed by the Vadodara Parsi Punchayet president and joint trustees, envisages the required amount to be approximately Rs 1,65,000, (Rs. 40,000 for the Agiary repair and maintenance and Kathifund; Rs 15,000 for the repair of the Dastur's residence; Rs 40,000 for construction of two additional rooms for students at the dharamshalla; Rs 30,000 for the construction of a small kitchen and a store-room in the dharamshalla; and Rs 40,000 for wire-fencing of land in the vicinity of the Tower of Silence for agricultural use).

In addition an annual recurring expenditure of Rs 37,500 would include Rs 5,000 per annum for an increase in the monthly salary of the Dastur from Rs 245 per month to Rs 400; Rs 25,000 per annum for an increase in monthly help to poor and invalid Zoroastrians; and Rs 7,500 annually for educational aid to students.

A/c payee cheques or drafts should be drawn in favour of "Shri Parsi Punchayet Vadodara," and posted to Vadodara Parsi Punchayet, Fatehgunj, Post office Road, Baroda 390002.

Earlier the Vadodara Parsi Punchayet organized a function on 3rd January to felicitate Ms. Goolbanu Sohrab Wadia a retired president of the Punchayet, Hirjibhai Doctor, Dr (Ms) Ninaz Anklesaria, Rashid Mistry and

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Ms Kashmira Bharucha for their outstanding performance in various fields, notes a press release from Jimmy Have-wala. Jal Davar, an industrialist from Bombay gave away rotating medals to those felicitated and hosted a dinner on the occasion, notes the write-up.

Healthy Collaboration

The well known author of several management books, **M.K. Rustomji** has joined hands with the famous heart transplant surgeon, Dr Christian Barnard and C. Northcote Parkinson, father of Parkinson's Law to bring out a book on the management of health.

The book entitled "*All About Good Health*" focuses on prevention rather than cure, covering subjects such as the prevention of heart attacks and strokes and how to cope with their onset and advice on how to prevent ulcers, hernia and psychosomatic illnesses.

Described by *The Times of India*, as "a book on health written in simple English and offering earthly advice and assimilable information," the book also contains chapters on jetlag, overweight, bad breath and insomnia, and sets straight some popular misconceptions.

Vazifdar garlanding the statue of Billimoria.



Rustomji (centre) and Barnard (left): getting at the heart of health

The literary agents, Curtis Brown have high expectations for the book, co-authored as it is by specialists in the field, on a subject of increasing relevance today.

Billimoria's Centenary

A jashan began the birth centenary celebrations of Dr Rustomji B. Billimoria, founder of the Bel-Air Sanatorium for the treatment of pulmonary tuberculosis in the western ghat hill resort of Panchgani.

The gathering included doctors, Red Cross and government officials, as well as members of the community.

A statue of Billimoria was garlanded first by one of the ward hamals, Shankar S. Kamble and then by Dr. J.N. Vazifdar, general secretary of the Indian Red Cross Society, Maharashtra Branch.

A bust of Billimoria's son Bomy, the "first thoracic surgeon of India" was garlanded by the oldest staff member of the sanatorium, J.P. Fernandes. It was three years after the tragic death of his son, that Billimoria handed over the management of the sanatorium to the Red Cross.

Speaking on the occasion Col. B.B. Choksi, superintendent of the sanato-

rium, narrated Rustom Billimoria's distinguished career and how he would come every weekend by train, horse cart or bullock cart to Panchgani to treat patients. Sir Dorab Tata had donated his bungalow and property known as Dalkeith for the sanatorium. In recognition of his services Billimoria was awarded the Padma Bhushan in 1961 and the Tuberculosis Association of India gold medal in 1967.

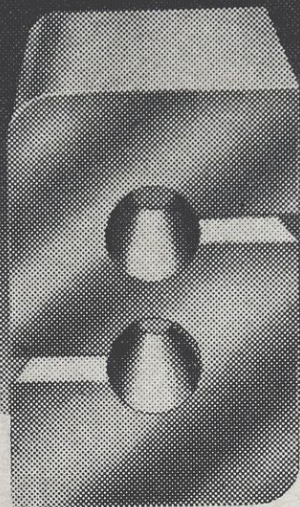
Amongst the other speakers was Vilasrao Deshmukh, minister of state for education; Ms Silloo Billimoria proposed a vote of thanks.

A Teacher's Day

"In appreciation of the services rendered by him in the educational, social and humanitarian fields for the last 40 years," **Behram S. H. J. Rustomji** of Karachi was honoured and felicitated on his 70th birthday at a function organized by the Young Men's Zoroastrian Association and the Dastur Dr. Dhalla Memorial Institute.

Rustomji, who together with his wife Gool translated from Gujarati into English the autobiography of the late Dr Manek Nusserwanji Dhalla, high priest of the Pakistan Parsis, is a former teacher and principal of the Bai Virbaijee Sopariwala Parsi High School in Karachi.

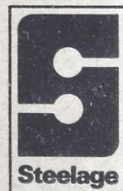
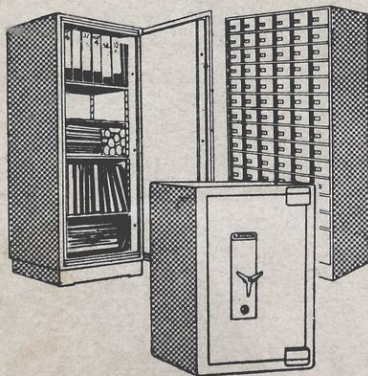
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At the 13th May function at Karachi's Hotel Metropole, an address was presented to Rustomji, on behalf of several educational, cultural and social welfare organizations, friends and admirers, signed by Dinshaw B. Avari, president of the Y.M.Z.A., and Jal H. P. Byramji, president of the Dastur Dr Dhallal Memorial Institute.

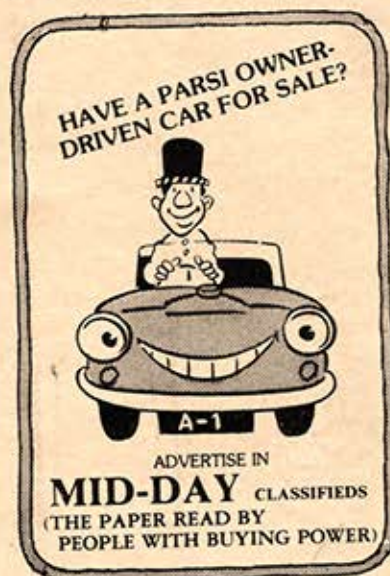
Noting his contribution of close to 30 years to the B.V.S. Parsi High School, both as teacher and principal, the address mentioned his "boundless devotion to education." The address noted his assistance to physically handicapped adults whom he taught to "bear disabilities cheerfully," to discover their potentialities and become self-supporting. He has also been associated with several social welfare organizations while guiding the activities of the Zuleikhabai V. M. Ganny Rangoonwalla Community Centre as its executive head.

Rustomji who was also a student at the B. V. S. Parsi High School, later graduated from the D. J. Sind College, acquired his diploma in teaching at London University and also attended courses at Cambridge University. Keenly interested in music, he was for a while at the Royal Academy of Music, London, and has arranged many con-

certs and dramatic entertainment programmes in Karachi for charity.

More Mileage

Amongst the many characteristics Parsis are renowned for, is the maintenance of



their cars. As a result Parsi owner driven cars are said to fetch a higher

price in the second-hand car market.

MID-DAY, the lively, Bombay evening daily, gained the most advertising mileage from this trait by publishing an advertisement (shown on this page) conceived by Behram 'Busy bee' Contractor and executed by the paper's cartoonist, Vikas Sabnis.

Want to sell your car? If you're a Parsi, it's still a seller's market.

Twin City Directory

A directory of all the Parsis and Iranis residing in the twin cities of Secunderabad and Hyderabad is to be published by the Parsi Zoroastrian Anjuman of Secunderabad and Hyderabad, notes the Anjuman's March newsletter. Local Parsis have been requested to send their names with addresses and telephone numbers to the Anjuman office.

In other news, the newsletter notes that Major Parvez Cowasji of Artillery (Air Observation Post) a resident of Tarnaka, Secunderabad was awarded the Vishisht Seva medal for meritorious service on Republic Day this year.

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The Wall Street Journal Entry

It's not everyday that Parsis make front page news internationally. But when *The Wall Street Journal* staff reporter June Kronholz wrote on the 'dying' Parsis, the reputed paper carried the article on the front page of its 27 May 1982 editions both in North America as well as in Asia. And in the wake of such coverage came angry retorts from Zoroastrians all over the world, especially from North America.

"The article in general is well written but a number of Zoroastrians have felt that some of the religious thoughts and ideas have been misrepresented," noted the newsletter of the Zoroastrian Association of Metropolitan Chicago. "Some of us have already written to *The Journal* expressing our individual views and it appears that some letters to the Editor have already been published in response to the article."

"To an average North American who is unfamiliar with the name Parsi or Zoroastrian, the article is likely to cause some misconceptions and as such, requires clarification," noted Jamshed Pavri of the Zoroastrian Society of British Columbia in Canada.

What sent the Zoroastrian adrenalin soaring was Kronholz's reference to Zoroastrians as "fire worshipers."

"Zoroastrians are *not* fire worshipers," protested Darius K. Irani, vice-president of the board of trustees of The Zoroastrian Centre in California. "Fire is symbolic to a Zoroastrian as the Cross is to a Christian and the Star of David is to a Jew. It would be unkind

and unfortunate to call a Christian a Cross worshiper or a Jew a Star of David worshiper; I trust *The Wall Street Journal* will grant a Zoroastrian the same propriety..."

"Finally your reference to the 'Bronze Age prophet' on the one hand and to Zarathustra's existence 'sometime between 1700 and 1400 B.C.' on the other, is amusing. In that cradle of civilization, the Iron Age had already manifested itself centuries earlier."

Pavri further noted, "Discussing the Fire Temple of Aden, it is said that the fire was flown 1900 miles for ceremonial dousing in Bombay. It is further said there have been too many dousings lately. This information is totally incorrect. The Aden fire still continues to burn in another Fire Temple at Lonavla, a hill station 80 miles southeast of Bombay and no fire has been doused either, except the one at Cambay a few years ago and that too, because of strange conditions..."

"Mr. Khojeste Mistree (the noted scholar-preacher of Bombay) is reported to have said that it is a tragedy, this wonderful religion may soon die out... The religion preached by Zarathustra is not an exclusive religion of a chosen people but is meant for all mankind and is eternal. Therefore the question of it dying shall never arise. Parsis as a race with bogus claims of purity of blood, may perhaps disappear because of declining numbers and mixed marriages so correctly reported in the article. This also, seems unlikely."

"There are to-day almost 5,000 Zoroastrians with at least 16 known Zoroastrian Associations and Societies and four Zoroastrian Centres in Canada and the United States. These Zoroastrians have come from all corners of the world and are most liberal in their outlook, since every third marriage is a mixed marriage. The Zoroastrian Centres are the result of the munificence of a single devout Zoroastrian from Iran. The donor's main objective in creating these centres... is to perpetuate the noble religion and bring it to the attention of the public at large. The Zoroastrian religion is not a cult. It is a living force and shall continue to live."

Lighter Side

Due to *The Journal's* large circulation, many Zoroastrians and non-Zoroastrians all over the world read the article and sent clippings to other Zoroastrians.

Zarir Cama, who is with the Hong Kong and Shanghai Banking Corporation in Hong Kong received a clipping from one of his associates with a line added: "If you're dying out, I require at least six months' notice."

And an American friend in California wrote to Homi Patel in Bombay, saying that the Parsis were not dying out, "they've all moved to the (San Francisco) Bay area."

Parsiana reproduces *The Wall Street Journal* article.

After 3,400 Years, India's Parsis Fear They Are Dying Out

Lag in Marriages, Births Hits
Sect of Fire Worshipers;
The Trouble With Vultures

By JUNE KRONHOLZ
Staff Reporter of THE WALL STREET JOURNAL

BOMBAY—They're fire worshippers, followers of a Bronze Age prophet, people whose religion was already ancient

when Cyrus the Great conquered Persia. For a millennium, their ancestors ruled vast empires.

Now with higher education, an apartment shortage in Bombay and young women marrying whom they will, India's Parsis worry that they won't survive the century. After 3,400 years, "the race is dying out," laments Khojeste Mistree, a Parsi writer.

Parsis are followers of Zarathustra—the Greeks called him Zoroaster—who had a revelation sometime between 1700 and 1400 B.C. It took Zarathustra 10 years to gain his first disciple, a cou-

sin, but two years later, he converted a king. And for the next 1,210 years, Zoroastrianism was the religion of three Persian empires stretching from the Mediterranean to the lowlands of Russia.

Zarathustra's exact teaching is obscure, but, essentially, Zoroastrians believe that life is a struggle between Ahura Mazda, the lord of wisdom, and Angra Mainyu, the evil spirit, and that man's purpose is to overwhelm evil with good thoughts, words and deeds.

Zoroastrians believe that because God created the elements, they aren't to

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be polluted. "The worst tortures in hell are reserved for polluters," says Freddie Mehta, a Parsi economist here. And of the elements, fire is the greatest because fire is light, light is truth and truth overwhelms evil.

Special Fires

So Parsis worship fire, but not just any fire. A fire in a Parsi cathedral comes from 16 sources, including a lightning flash, and because you can't catch one of those very often, cathedral fires are ancient: One in India is said to have burned for 900 years, one in Iran for 2,500.

They aren't casually snuffed, either. In 1976, when there weren't enough Parsis left in Aden to tend a fire there, it was flown 1,900 miles for ceremonial dousing in Bombay. And there have been altogether too many dousings lately, the Parsis lament.

The last time anyone counted, a decade ago, there were only 97,000 Parsis left in India, perhaps 135,000 worldwide, and their numbers were dwindling at the rate of a thousand a year.

Housing is in such short supply in Bombay, where two-thirds of India's Parsis are congregated, that they aren't

marrying because they haven't anyplace to live, according to the Parsi Panchayet, their governing council. Higher education, and with it the message of birth control, are so widespread that Parsis are having few children.

More of them are marrying outside the faith, too. Parsis don't proselytize or take converts; you can't marry into the sect, and you can't be born into it if your father isn't a Parsi. Last year, there were only 326 Parsi weddings (down 100 in a year), only 655 births and almost twice that many deaths. For want of Parsi orphans, the orphanage was recently converted into a boarding school.

A Clothing Problem

Modern ways also trouble the ancient religion. Parsis are supposed to wear a sudreh, a sort of undershirt with a tiny pocket for symbolically accumulating good deeds, but young people complain that the sudreh shows under modern clothes. In addition, Parsis once wore a turban called a pugree, but the last pugree maker in India died three years ago.

The Parsis' purity laws, which once kept non-Parsis away from Parsis and menstruating women away from eve-

ryone, have largely been dropped as impractical. (Dirty fingernails are still considered sinful, however, and Parsis avoid going barefoot.) There was much debate about the purity of smoking, becoming a fireman or putting a flame to rough use—in a steam engine or blast furnace, for example—but the priests eventually ruled in favor of modernity.

Then there is the problem with vultures. Parsis believe that to burn, bury or submerge the dead is to pollute the elements. Instead, they consign bodies to the Towers of Silence—large, round concrete platforms in the middle of a forest—to be devoured by vultures.

"It's an efficient means of disposal if you have enough vultures," says Jehangir Patel, editor of *Parsiana*, a Parsi magazine. But Bombay's sprawl is threatening the vultures. And there was something of a sensation when it was discovered that a new high rise offered a clear view into one of Bombay's towers. The tower was closed; five are left.

But Parsis say the biggest peril is indifference: Parsis don't know much about their religion anymore (the world's leading authority on Zoroastrianism is an English-woman at the University of London). Parsis pray in



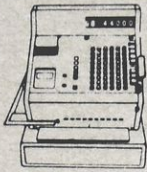
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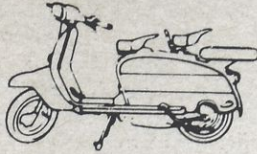
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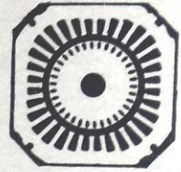
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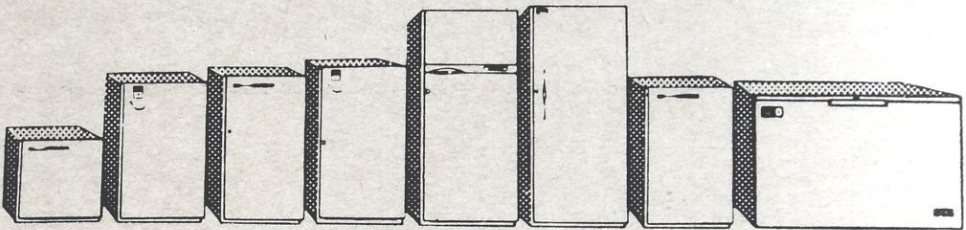
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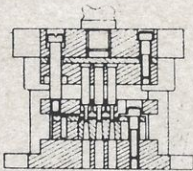
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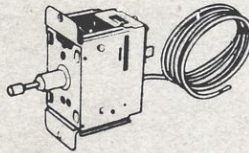
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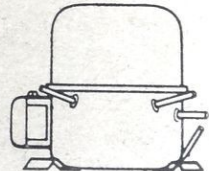
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Avesta, an ancient language that even they don't understand. Because the priesthood pays only about \$50 (Rs.450) a month, it attracts the mediocre, Parsis say. And the solitary nature of Parsi worship rules out homilies. "You sit in a corner and read whatever prayer you like," says J.N. Guzder, the Parsi chairman of a Bombay chemical company.

The Parsis have faced perilous times before, of course. In 936 A.D., they fled the Arab advance, into Persia and settled near Bombay because that's where their ships blew ashore. The Indians named them Parsis—perhaps because the Greeks knew Persia as Pars, perhaps for the Persian language, Farsi.

The British, when they arrived in India, had a few ideas about names themselves: They ordered everyone to take a surname, and the Parsis obliged by naming themselves for their jobs. The names stuck even if the jobs didn't: Thus India has cricket stars named Nari Contractor and Faroukh Engineer, and a recent issue of Parsiana has features by Geeta Doctor and Feroza Paymaster and photos by Farokh Reporter.

Many Success Stories

At any rate, the Parsis prospered in India. "A Parsi is a born entrepreneur; he'll get milk out of a stone," crows Mr. Guzder. Parsis have produced most of India's modern industries—textiles, iron and steel, hydroelectric power, civil aviation, banking. They built four of Adm. Nelson's ships for the Battle of Trafalgar, and a Parsi fathered India's atom bomb. And one named Nelhi Mehta founded the Bombay symphony; a son, Zubin conducts the New York Philharmonic.

Parsis also believe in charity. They finance medical and scientific research, colleges and hospitals, rural development and the Bombay Performing Arts Center. The Panchayet dispenses scholarships and old-age pensions to Parsis, pays for many of their weddings, offers them farm loans, runs an employment bureau, a secretarial school and a library, and owns and allocates 1,700 apartments.

Nevertheless, the Parsis are on the decline, and they disagree about how to stem it. Some want to accept converts

and have been taking that issue to Indian civil courts ever since 1908. (The courts repeatedly ruled that Zoroastrianism is a religion that anyone can practice but that the Parsis are an ethnic group that can be entered only by birth.)

New Apartments Urged

Others, such as Mr. Guzder, want to spend Panchayet money on apartments for the 750 Parsi couples who he says are waiting for housing in order to marry. "Then you'll see our birth rate go up," he predicts.

And Mr. Mistree, the writer, has begun a foundation to teach Parsis about themselves. He holds seminars, writes books and newsletters and plans an American lecture tour (there are some Parsis in New York, Los Angeles and Chicago). He urges Parsis to wear the sudreh, pray in Avesta and keep a symbolic fire lit at home.

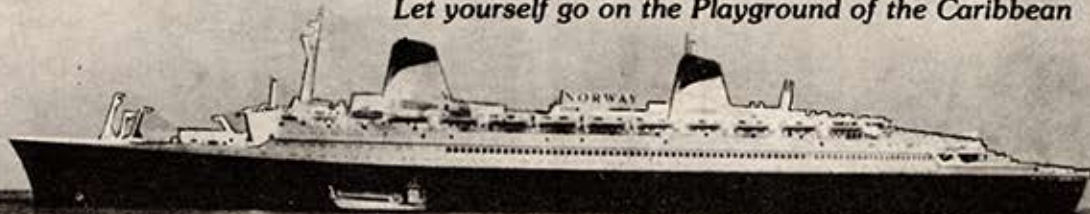
But he serves a visitor a sad warning along with a plate of Parsi butter biscuits. "It is a great tragedy," he says. "This wonderful religion may soon die out."



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THE STRANGE CASE

by

Arthur Conan Doyle

Sir Arthur Conan Doyle describes as "a blot on English justice" the imprisonment of a young solicitor for a crime he could not have committed.

THE case of George Edalji is one of the most singular in the chronicles of crime—singular in the character of the accused, singular in the evidence which, in the eyes of the police, the judge and jury, and the Home Office, convicted him of the guilt of cattle-maiming—and above all, singular in the fact that it was left to a lay-detective, the creator of Sherlock Holmes, by observations and by reasoning of his own, to tear this specious evidence to tatters. In the most interesting article which follows, Sir Arthur Conan Doyle describes the train of reasoning which led to this result. But in order to follow his account with perfect understanding it will first be well to call to mind the details of the case. How did the crime present itself to the police? What was the weight of evidence which he had to overthrow?

This evidence was most clearly and fairly stated by Sir Arthur in his letters and pamphlets issued at the time. And as these are now almost unobtainable, we can do no better, for the purpose of our summary, than to quote from them at some length.



Could a half blind man find his way at night through this gap in the thick hedge?

DURING the early part of 1903 the little village of Wyrley in Staffordshire, was in a state of tense excitement. A mysterious criminal was abroad, a criminal whose custom was to steal into the fields at dead of night and, armed with a sharp knife or razor, to rip up cattle, sheep or horses, leaving them to bleed to death.

It was on February 2nd, 1903, that the first serious outrage occurred at Wyrley. On that date a valuable horse belonging to Mr. Joseph Holmes was found to have been ripped up during the night. Two months later, on April 2nd, a cob belonging to Mr. Thomas was treated in a similar fashion, and a month after that a cow of Mrs. Bungay's was killed in the same way. Within a fortnight a horse of Mr. Badger's was terribly mutilated, and on the same day some sheep were killed. On June 6th two cows suffered the same fate, and three weeks later two valuable horses belonging to the Quinton Colliery Company were also destroyed. Next in order in this monstrous series of barbarities was the killing of a pony at Great Wyrley Colliery.

It was in vain that the police kept watch; the culprit was too wary to be caught redhanded. But they received mysterious letters, signed with false names, which stated that the criminal was George Edalji, the son of the Vicar

of the parish, a Parsee. The police theory was a strange one. They held that Edalji was himself the writer of the letters—for what reason it is difficult to see—and that he was accusing and reviling himself.

Another says that the writer is a "number" of the gang for maiming cattle, that George Edalji is another member, and that he—the writer—is prepared to give away the gang if certain conditions are complied with.

"I have got a dare-devil face and can run well, and when they formed that gang at Wyrley they got me to join. I knew all about horses and beasts and how to catch them best... They said they would do me in if I flunked it, so I did and caught them both lying down at ten minutes to three and they roused up... They did not spurt much blood and one ran away but the other fell... Now I will tell you who are in the gang, but you cannot prove it without me. There is one named—from Wyrley and a porter who they call—and Edalji the lawyer... Now, I have not told you who is at the back of them all and I shall not unless you promise to do nothing at me. It is not true that we always do it when the moon is young and the one Edalji killed on April 11th was full moon."

And what was the character and the

OF GEORGE EDALJI

personality of the man who was supposed to have written letters of this kind? Here is Sir Arthur Conan Doyle's portrait of him:—

"If the whole land had been raked I do not think that it would have been possible to find a man who was so unlikely, and, indeed, so incapable of committing such actions. He was of irreproachable character. Nothing in his life had ever been urged against him. His old schoolmaster, with years of experience, certified to his mild and tractable disposition. He had served his time with a Birmingham solicitor, who gave him the highest references. He had never shown traits of cruelty. He was so devoted to his work that he had won the highest honours in the legal classes, and he had already, at the age of twenty-seven, written a book upon Railway Law. Finally, he was a total abstainer, and so blind that he was unable to recognise anyone at the distance of six yards. It was clear that the inherent improbability of such a man committing a long succession of bloody and brutal crimes was so great that it could only be met by the suggestion of insanity. There had never, however, been any indication even of eccentricity in George Edalji. On the contrary, his statements of defence were measured and rational, and he had come through a series of experiences which might well have unhinged a weaker intellect."

Such was the state of affairs—such was the man suspected—on the night of August 17th—at which point Sir Arthur's pamphlet is the best and safest record.

At this period twenty constables and detectives had been brought into the district, and several, acting upon the suggestions in the anonymous letters, watched the Vicarage at night. On August 17th, Edalji, following his own account, returned from his day's work at Birmingham—he had started in practice there as a lawyer—and reached his home about 6.30. He transacted some business, put on a blue serge coat, and then walked down to the bootmaker's in the village, where he arrived about 8.35, according to the independent evidence of John Hands, the tradesman in question. His supper would not be ready before 9.30, and until that hour he took a walk round, being seen by various peo-

ple. His household deposed to his return before suppertime, and their testimony was confirmed by the statement of Walter Whitehouse, who saw the accused enter the Vicarage at 9.25. After supper Edalji retired to bed in the same room as his father, the pair having shared an apartment for seventeen years. The old Vicar was a light sleeper, his son was within a few feet of him, the whole house was locked up, and the outside was watched by constables, who saw no one leave it.

And yet upon that night a pony had been destroyed at the Great Wyrley Colliery. Sergeant Parsons gave evidence that he saw the pony apparently all right at eleven o'clock at night. It was very dark, but he was not far off it. It was a wild night, with rain coming in squalls. The rain began about twelve and cleared about dawn, being very heavy at times. On the 18th, at 6.20, a lad named Henry Garrett, going to his work at the colliery, observed that the pony was injured. "It had a cut on the side," he said. "The blood was trickling from the wound. It was dropping pretty quickly." The alarm was at once given. Constables appeared upon the scene. By half-past eight Mr. Lewis, the veterinary surgeon, was on the spot. The wound, he deposed, was quite fresh and could not have been done further than six hours from the time he saw it.

The constables raided the Vicarage. The young lawyer had already started for his day's work in Birmingham. The startled parents were ordered to produce all the young man's clothing. The mother was asked for his dagger, but could produce nothing more formidable than a botany spud. A hunt was made for weapons, and a set of razors belonging to the Vicar were seized. Some were said to be wet. Dark spots were perceived upon the back of one, but they proved upon chemical examination to be rust stains. Twelve men quartered the small garden, but nothing was found.

The clothes, however, were a more serious matter. One coat was seized by the police and declared to be damp. This was vigorously denied by the vicar, who handled the coat before it was removed.

The coat, however, was not one which Edalji used outside, and the evidence of Mr. Hands was called to show that he

had not worn it the night before. It was an old house-coat, so stained and worn that it is not likely that an ambitious young professional man would, even in the lamp-light, walk in the streets and show himself to his neighbours in such a garment. But these stains attracted the attention of the police. There were some whitish stains—possibly the saliva of the unfortunate animal. They were duly tested and proved to be starch stains, probably from fish sauce or bread and milk. But there was something else upon this coat. There were, according to Inspector Campbell, "dark red or brown stains, right cuff much more stained than the left. There were other stains on each sleeve further up, reddish-brown or white. The coat was damp."... There were other spots and stains upon it. These were declared by Dr. Butter to be mammalian blood. "On the sleeve," said Inspector Campbell, "I found brownish hairs which looked like horsehairs."

Now, here is the statement of the Vicar upon the subject. "On August 18th, 1903, they called at the Vicarage at about eight o'clock in the morning, and in compliance with their request, Mrs. Edalji showed them a number of garments belonging to her son.

"As soon as they saw the old coat they began to examine it, and Inspector Campbell put his finger upon one of the stains and said that there was a hair there. Mrs. Edalji told him that it was not a hair but a thread, and Miss Edalji, who was present, then remarked that it looked like a 'roving'. This was all that Inspector Campbell had said to them about hairs before I came down. When I saw him he told me that he had found horse hairs upon the coat. The coat was then spread out upon the desk in the study. I asked him to point out the places where the hairs were to be seen. He pointed out the lower part of the coat and said, 'There is a horse hair there.' I examined the place and said, 'There is no hair here at all.' Some further conversation followed, and then suddenly he put his finger upon another place on the coat nearer to where I was standing and drew two straight lines with his finger. He said, 'Look here, Mr. Edalji, there is horse hair here.' I looked at the place for a moment, and in order to have more light upon it, I took up the coat with both my hands and drew nearer to the



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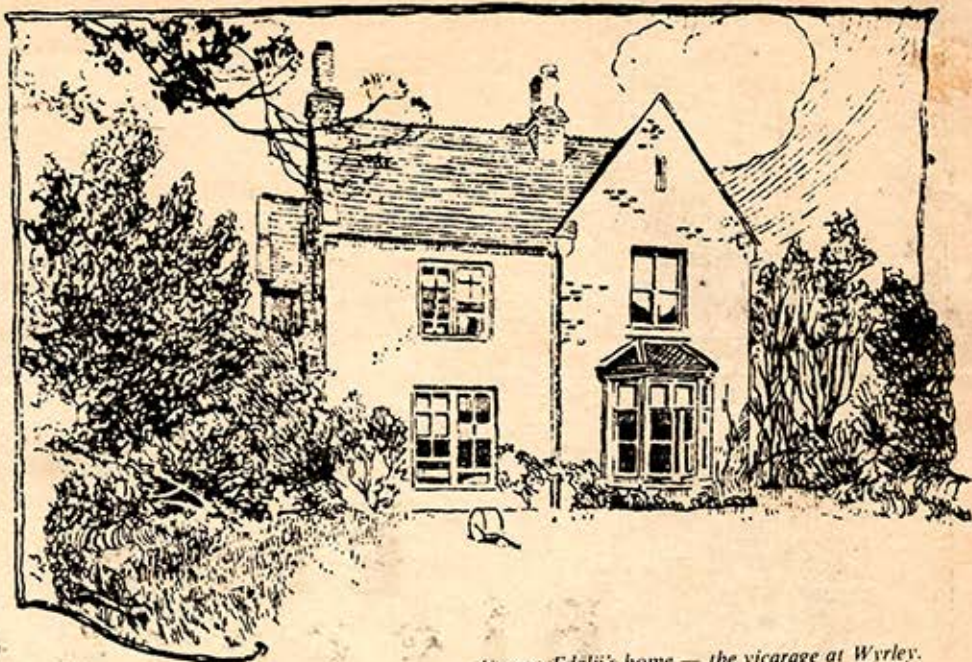
window, and after carefully examining it, I said to him, 'There is, to be sure, no horse hair here. It is a clean surface.' He then said that he wanted to take the coat with him, and I said, 'You can take the coat. I am satisfied there is no horse hair upon it.' Now, I have said it over and over again, and I say it here once more, that there was absolutely no horse hair upon the coat. If there had been any, I could not have failed to see it, and Mrs. Edalji and Miss Edalji looked at the coat at the same time and saw no hair of any sort upon it."

The police carried off the coat, upon which three witnesses swore there were no hairs. In the meantime, the pony had been put out of his pain and a portion of its hide was cut off, with the hairs attached, and also secured by the police. The coat had been taken at eight in the morning. It was seen by Dr. Butter, the police surgeon, at nine in the evening. At that hour Dr. Butter picked twenty-nine undoubted obvious horse hairs from its surface.

So much for the saliva stains, the blood stains and the hairs. There remain the questions of the trousers and the boots. The trousers were said by the police to be damp and stained with dark mud round the bottom. The boots were very wet. The boots were the same ones which Edalji had admittedly used during his sixty minutes' walk upon the evening before. It was fine in the evening, but there had been heavy rain during the day, and puddles everywhere.

The trousers were not a pair used the evening before, according to the family. No attempt was made to show blood marks on boots or trousers, though Mr. Sewell, a well-known veterinary surgeon, deposed afterwards that in making such an incision a skilled operator would wear an apron to prevent his clothes from being soaked. It is an interesting point brought out by the evidence of some of the witnesses of the prosecution that the mud at the place of outrage was yellow and red, a mixture of clay and sand, quite distinct from the road mud which the police claimed to have seen upon the trousers.

And now we come to the question of the footprints. The outrage had occurred just outside a large colliery, and hundreds of miners going to their work had swarmed along every approach to see the pony. The soft, wet soil was trampled upon by them from six o'clock onwards; at four o'clock of that afternoon—eight hours after the seizure of the boots—we have Inspector



George Edalji's home — the vicarage at Wyrley.

Campbell endeavouring to trace a similarity in the tracks. The particular boot was worn at the heel—a fairly common condition—and some tracks among the multitude were down at the heel. No cast was taken of the tracks. They were not photographed. They were not cut out for the purpose of expert comparison. So little were they valued by Inspector Campbell that he did not even mention them to the magistrates on the 19th. But they bulked large at the trial.

Edalji had gone to his office in Birmingham and there, later in the day, he was arrested by the police. Next day and the following Monday he was before the magistrates, where the police evidence, as already set forth, was given. The magisterial proceedings lasted till September 4th, off and on, when a prima facie case was made out and the prisoner committed to Staffordshire Quarter Sessions. The criminal made a remark which rose up in judgment against him. "I won't have bail," he said to Police Constable Meredith, "and when the next horse is killed it will not be by me." In commenting upon this Mr. Disturnal, the Prosecuting Counsel, said, "In refusing bail the prisoner made use of a very singular observation," and he went on to suggest that the prisoner knew perfectly well what he was about when he refused bail. The inference here is that it was pre-arranged with a friend of Edalji that he would do a fresh crime in order to clear him.

Now, such a crime was committed, and it occurred upon September 21st, between Edalji's committal and trial,

while he lay in Staffordshire Gaol. The facts are these: Harry Green was the nineteen-year-old son of a farmer who lived somewhere between the Vicarage and the scene of the outrage for which Edalji was convicted. He and Edalji knew each other slightly, as neighbours in the country must do.

Green's charger was found injured. It was not a very valuable animal. In one estimate it is placed at five pounds. Whether it was insured or not there was a conflict of evidence. For days there was scare and conjecture. Then at the end of that time it was known that Green had signed a confession which admitted that he had himself killed his own horse. That confession undoubtedly existed, but Green, having had a week or two to think things over, and having in the meantime got a ticket to South Africa, suddenly went back on his own confession and declared with much circumstantiality of detail that he had not done it and that the confession had been bullied out of him by the police.

And now at last we come to the trial.

The ground over which the prosecution advanced is already familiar to the reader. The police relied upon the dampness of the clothes; the defence upon the word of the vicar that this dampness was imperceptible to him, coupled with the fact that any bloodstains on a damp coat would then have been liquid. The prosecution pointed to the down-at-heel boot which was fitted into impressions which must have been made after rain; the defence drew attention to the fact that the whole police

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theory was that the crime was committed before the rain. Then came the bloodstains and the hairs—and then the letters. There was a strong probability that whoever wrote the letters knew something of the crimes. The defence pointed out that the letters actually accused Edalji himself and vilified him in all sorts of ways—that one postcard in the same writing as the other was posted at Wolverhampton when he was at Aberystwyth—that in the original ser-

ies of anonymous letters the writer had said, "Do you think we cannot copy your kid's writing?" Against these things was set the expression of opinion by an expert that the letters were in George Edalji's own writing.

The trial lasted for four days. Edalji was convicted by the jury and sentenced to seven years' penal servitude. The Assistant Chairman of Quarter Sessions, who presided at the trial, when afterwards consulted about the convic-

tion, reported that he and his colleagues were strongly of opinion that the conviction was right.

Edalji had been in prison for three years when the attention of Sir Arthur Conan Doyle was, by accident, directed to the case. How he took it up, how he analysed the evidence, how he showed that, in spite of all its seeming weight, it proved only that the prisoner could not possibly be guilty, he is now about to tell us.

SIR ARTHUR CONAN DOYLE'S INVESTIGATIONS

IT was late in 1906 that I chanced to pick up a paper called *The Umpire*, and my eye caught an article which was a statement of his case, made by himself, though how he smuggled it out of prison I know not. Anyhow, that was the turning point of his fortunes. As I read, the unmistakable accent of truth fixed itself upon my attention I realised that I was in the presence of an appalling tragedy, and that I was called upon to do what I might to set it right. I got other papers on the case, studied the original trial, went up to Staffordshire and saw the family, went over the scene of the crimes, and finally wrote a series of articles upon the case which began in the *Daily Telegraph* of January 12th, 1907. As I bargained that they should be non-copyright, they were largely transferred to other papers, sold for a penny at street kerbs and generally had a very wide circulation, so that England soon rang with the wrongs of George Edalji.

These wrongs would have been almost comic had they not had so tragic an upshot.

The original theory at the trial had been that Edalji had committed the particular mutilations with which he was charged some time in the late evening. This line of attack broke down completely as he was able to advance a certain alibi. In the middle of the case, therefore, the police prosecution shifted its ground and advanced the new theory that it was done in the early hours of the morning. George Edalji, as it happened, slept in the same room as his father, the parish vicar. The latter is a light sleeper

and is accustomed, as many people are, to assure privacy by turning the key of his room. He swore that George never left the room during the night. This may not constitute an absolute alibi in the eye of the law, but it is difficult to imagine anything nearer to one, unless a sentinel had been placed outside the door all night. It is so near an alibi that nothing but the most cogent considerations could shake it, but far from there being any such considerations, the case was such a thing of threads and patches that one cannot imagine how any sane jury could have accepted it, even though the defence was very badly conducted. So bad was this defence that in the whole trial no mention ever, so far as I could ascertain, made of the fact that the man was practically blind, save in good light, while between his house and the place where the mutilation was committed lay the full breadth of the London & North Western Railway, an expanse of rails, wires and other obstacles, with hedges to be forced on either side, so that I, a strong and active man, in broad daylight found it hard to pass.

What roused my indignation and gave me the driving force to carry the thing through was the utter helplessness of this forlorn little group of people—the coloured clergyman in his strange position, the brave, blue-eyed, grey-haired wife, the young daughter, baited by brutal boors and having the police, who should have been their natural protectors, adopting from the beginning the harshest tone towards them and accusing them, beyond all sense and

reason, of being the cause of their own troubles and of persecuting and maligning themselves. Such an exhibition of official idiocy, sustained, I am sorry to say, by Lord Gladstone and all the forces of the Home Office, would have been incredible had I not actually examined the facts.

However, so far as Edalji's release from prison went, it was not long before that was accomplished. The articles caused a storm of indignation through the country. *Truth* had already taken up the defence; Sir George Lewis, and other forces joined in the good work. A committee was formed by the Government to examine and report. It consisted of Sir Arthur Wilson, the Hon. John Lloyd Wharton, and Sir Albert de Rutzen. Their finding, which came to hand in June, was a compromise document, for, though they were severe upon the condemnation of Edalji and saw no evidence which associated him with the crime, they still clung to the theory that he had written the anonymous letters, that he had, therefore, been himself contributory to the miscarriage of justice, and that, for this reason, all compensation for his long period of suffering should be denied him.

It was a wretched decision, and the Law Society, at the prompting of Sir George Lewis, showed what they thought of it by at once re-admitting Edalji to the Roll of Solicitors, with leave to practise, which they would never have done had they thought him capable of dishonourable conduct. But the result stands. To this day this unfor-

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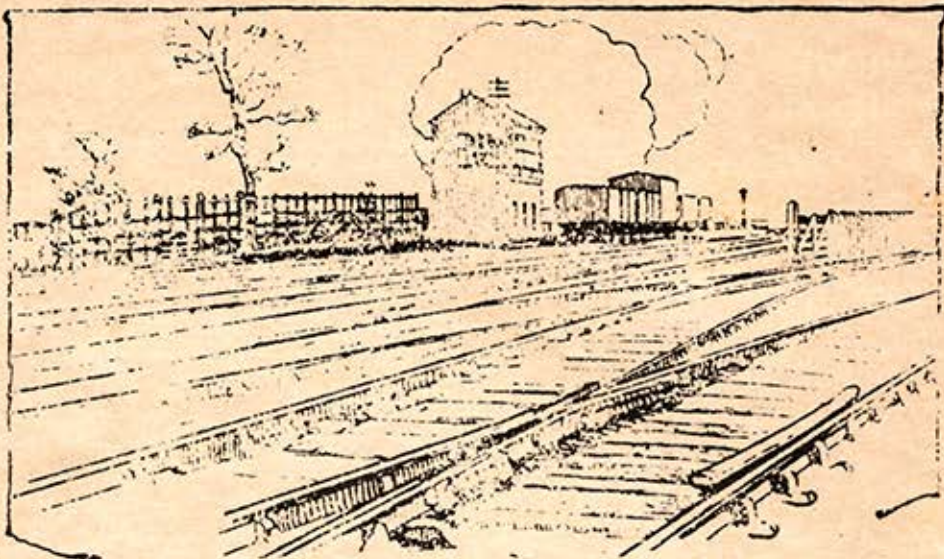
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Security is a warm feeling

fortunate man, whose humble family has paid many hundreds of pounds in expenses, has never been able to get one shilling of compensation for the wrong done. It is a blot upon the record of English justice, and even now it should be wiped out. It is to be remembered that the man was never tried for writing the letters—a charge which could not have been maintained—so that as the matter stands he has got no redress for three years of admitted false imprisonment on the score that he did something else for which he has never been tried. What a travesty of justice! The *Daily Telegraph* got up a subscription for him which ran to some three hundred pounds. The first use that he made of the money was to repay an old aunt who had advanced the funds for his defence. He came to my wedding reception, and there was no guest whom I was prouder to see.

So far, my work had been satisfactory. Where I caused myself great trouble was that in my local exploration at Wyrley I had come across what seemed to me a very direct clue as to both the writer—or, rather, writers—of the letters, and also of the identity of the mutilator—though the latter word may also have been in the plural. I became interested, the more so as the facts were very complex and I had to do with people who were insane as well as criminal. I have several letters threatening my life, in the same writing as those which assailed the Edaljis—a fact which did not appear to shake in the least the Home Office conviction that George Edalji had written them all. Mentally, I began to class the Home Office officials as insane also. The sad fact is that officialdom in England stands solid together, and that when you are forced to attack it you need not expect justice, but rather that you are up against an unavowed trade union which is not going to act the blackleg to each other, and which subordinates the public interest to a false idea of loyalty. What confronts you is a determination to admit nothing which inculpates another official, and as to the idea of punishing another official for offences which have caused misery to helpless victims, it never comes within their horizon. Even now, after the lapse of so many years, I can hardly think with patience of the handling of this case.

The mistake that I made—so far as my own interests were concerned—was that, having got on the track of the miscreant, I let the police and the Home



The whole breadth of the L. & N.W. Railway would have to be crossed in the dark, on the way from the vicarage to the field in which the pony was found—and Edalji was "practically blind."

Office know my results before they were absolutely completed. There was a strong *prima facie* case, but it needed the goodwill and co-operation of the authorities to ram it home. That co-operation was wanting, which was intelligible in the case of the local police since it traversed their previous conclusions, but was inexcusable in the Home Office. The Law Officers of the Crown upheld their view that there was not a *prima facie* case, but I fear that, consciously or unconsciously, the same trade union principle was at work. Let me briefly state the case, that the public may judge. I will call the suspect X. I was able to show:—

1. That X had shown a peculiar knife or horse-lancet to someone and had stated that this knife did the crimes.
2. That this knife or a similar knife must have been used in *some* of the crimes, as shown by the shallow incision.
3. That X had been trained in the slaughter-yard and the cattle-ship, and was accustomed to brutal treatment of animals.
4. That he had a clear record, both of anonymous letters and of destructive propensities.
5. That his writing and that of his brother exactly fitted into the two writings of the anonymous letters. For this I had strong independent expert evidence.
6. That he showed signs of periodical insanity, and that his household and bedroom were such that he could leave unseen at any hour of the night.

There were very many corroborative evidences, but those were the main ones,

coupled with the fact that when X was away for some years the letters and outrages stopped, but began again when he returned. On the other hand, when Edalji was put in prison, the outrages went on the same as before.

It will hardly be believed that after I had laid these facts before the Home Office they managed to present the House of Commons with the official legal opinion that there was not a *prima facie* case, while a high official of the Government said to me: "I see no more evidence against these two brothers than against myself and my brother." The points I mention are taken from the paper I laid before the Law Officers of the Crown, which lies before me as I write, so the facts are exactly as stated.

I had one letter in sorrow and also in anger from the Staffordshire police complaining that I should be libelling this poor innocent young man whose identity could easily be established. I do not know what has become of X or how often he has been convicted since, but on the last occasion of which I have notes the magistrate said, in condemning him to six months' imprisonment with hard labour, "His character was extremely bad, he having been convicted of arson, of stealing on three occasions, and of damage. On his own confession he had committed a deliberate and cruel theft from his aged mother, and it was impossible to overlook the seriousness of the case." So much for the inoffensive youth whom I had libelled!

But what about Edalji's three years of gaol?

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The Man and His Vision

Russi M. Lala

In 1858 the British Crown stood forth in name and in fact as the ruler of India. After the failure of the uprising of 1857, a vast sub-continent lay still and submissive. The decades to follow were to mark the high noon of British imperialism. In that period, the geographical expression known as 'India' received two benefits: unification of the country into a stable political entity and a railway system that sought to make the sub-continent a single, viable economic unit. Writing of this period in his *Discovery of India*, Jawaharlal Nehru notes: 'Slowly India recovered from the after-effects of the Revolt of 1857-58. Despite British policy, powerful forces were at work changing India and a new social consciousness was arising. The awakening of India was two-fold: she looked to the West, and, at the same time, she looked to herself and her own past'.

Indians began to ask themselves why a foreign power had gained such supremacy over their ancient land. Was it because modern science and technology gave Europe a lead? A new class of Indians was rising, eager to learn English and to benefit from the study of Western ways and methods which Lord Macaulay was offering.

The year that Macaulay left for England, 1839, Jamsetji Nusserwanji Tata was born in a family of Parsi priests in Navsari, Gujarat. At the age of 14 he came to Bombay, and at 17 he joined Elphinstone College from which he passed out a couple of years later as a

About the author: Russi M. Lala entered journalism in 1948 and publishing in 1951. From 1959 to 1963 he established and managed the first Indian publishing house in London. In 1964, with Rajmohan Gandhi, he founded *Himmat* weekly which he edited for the next decade. His articles have been featured in many papers in India and abroad, including the *Times*, London and *Sunday Standard*. In 1979, the Rajaji Foundation published his book *India says No to Nationalisation*.

The Creation of Wealth by R.M. Lala; illustrations by Mario Miranda; published by India Book House Publishing Company, Bombay; Rs 45 hard cover, Rs 25 paper-back. Reprinted with permission; copyright Jamsetji Tata Trust 1981.



Tata through the ages



'Green Scholar', the then equivalent of a graduate. The love for literature and books he then acquired was to last him throughout life. He was fond of reading Dickens, Thackeray and Mark Twain. After initial trading ventures in the Far East and Europe, he started in 1868—at the age of 29—a private trading firm with a capital of Rs. 21,000.

He and his associates obtained a contract to furnish supplies required by the Expeditionary Force of General Napier in Abyssinia. The share of the profits was sufficient to launch him on his career in textiles. His earlier visits to Manchester had stimulated his desire to manufacture cotton goods. He bought an old oil mill in Bombay in partnership with a few friends, converted it into a textile mill, managed it himself and within a couple of years made it a going concern. He sold it at a profit two years later. There were, at that time, about a dozen textile mills centred in Bombay, which was known as the 'Cottonpolis' of India. Jamsetji Tata decided to plant his mill where the cotton came from. He picked on Nagpur in Central India, and took advantage of the railway system which had, by that time, moved to the area.

The company he floated in 1874 with a capital of Rs. 1,500,000, subscribed by his friends and himself, was named The Central India Spinning, Weaving and Manufacturing Company. Three years later the mill opened on January 1, 1877, the day Queen Victoria was formally proclaimed Empress of India, and 'Empress' the mill was called. He had bought, at a low price, marshy land near the Nagpur railway station and had proceeded to fill it up. A local Marwari banker, asked to subscribe to its shares, refused to back a man who was wasting gold by sinking it into the ground. The gentleman lived to admit that 'Tata had not put gold into the ground but had put in earth and taken out gold.' Jamsetji was to launch another textile mill before he stepped on the scene of history as one of the great builders of modern India.

Jamsetji was a nationalist long before this word had any real significance. He was present, for instance, at the founding of the Indian National Congress in Bombay in 1885, and gave generously to its funds. His nationalism, however, was not narrow. It was, like Tagore's, rooted in his love for humanity, arising out of his passionate love for his own land to which he harnessed the creative forces of his genius. Every day of his life, therefore, became a day of preparation for that time when his country would be in



Ability to translate ideas into reality

charge of her destiny. When he surveyed the untilled industrial field of India he perceived the benefits it could gain through science and technology.

Not only did he grasp the full significance of the industrial revolution of India, but his clear mind spelt out the three basic ingredients to attain it. Steel was the mother of heavy industry. Hydro-electric power was the cheapest energy to be generated. And technical education coupled with research was essential for industrial advance. This may be obvious to us today, but it was

not so a century ago to a nation subjugated to a colonial economy. In Jamsetji, India had found a man of ideas with the ability to translate them into reality.

Wisely, he concentrated his energies on implementing these three imperatives of industry. Upon his objectives he brought to bear the resources of his wealth and experience, the prestige of his name, and that rare gift only few can command—the full-hearted devotion of colleagues.

An English observer, Sir Stanley

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Reed (later Editor of *The Times of India*) described him as a sturdy figure whose 'voice was sonorous and rather harsh; he conveyed to my mind the impression of the energy and force of a man of action rather than that of an industrial seer.'

His day began fairly early in the morning. At times he went for a short walk along Bombay's sea-front and would drop in to see his friends, occasionally before they were out of bed. At breakfast he presided as a patriarch would, discussing with his family, relatives and friends. He then read and wrote for a while till he went to office at midday. After office, at 6 p.m., he would go for a drive in his horse-carriage—later in his car—or play cards and converse at the Elphinstone Club.

On his return he enjoyed his dinner. Good food was one of his two indulgences: the other was a voracious appetite for knowledge, which he constantly fed. The Curator of the Calcutta Botanical Museum, an authority on Indian plants, came out of Jamsetji's room after a meeting one day staggered at his knowledge of botany. 'I learnt several things from him,' said the Curator. When an epidemic of Bubonic Plague was at its height, Jamsetji put aside all else and worked on the history and treatment of different plagues with a view to preventing the spread of infection. Once when he had lined up his household staff for inoculation, Colonel Hormusji Bhabha, Inspector-General of Education for Mysore State happened to arrive. He was immediately recruited by Jamsetji as a bewildered candidate for inoculation. Every day Jamsetji spent a couple of hours in undisturbed contemplation and reading in his study.

A young Englishman, Norman Redford, who paid several visits to Jamsetji, records that on evening drives Jamsetji and his colleagues would talk of schemes, schemes and more schemes. 'Never,' records Norman Redford, 'did I see Mr Tata impatient or intolerant, nor did I ever see him critical of others' shortcomings.' Another contemporary of Jamsetji recalled that 'he was not a man who cared to bask in the public eye. He disliked public gatherings, he did not care for making speeches, his sturdy strength of character prevented him from fawning on any man however great, for he himself was great in his own way, greater than most people realised. He sought no honour (he had declined a baronetcy) and he claimed no privilege. But the advancement of

India and her myriad peoples was with him an abiding passion.'

The same contemporary spoke of Jamsetji's 'quiet, strong, stern, unselfish determination to pursue his calling.' Jamsetji's mind spanned almost every area of human endeavour though he was remembered for his three great nation-building projects and the famous Taj Mahal Hotel. He was never short of schemes. He had plans to construct a huge circular building where the Prince of Wales Museum stands today in Bombay. He wanted it to house an ice factory that would cool offices in the circular building. This was long, long before Carrier invented airconditioning.

Jamsetji not only knew his country well, he knew the world as few other men of his time. In his youth, he had travelled to China and the Far East as well as to Europe and the Middle East. In later years he covered North America. He repeatedly visited Europe and America for industrial exhibitions that first became fashionable in his days. He took advantage of these journeys to study steel plants, coal mines and factories abroad. George Westinghouse encouraged him to visit the Niagara Falls to study hydro-electric generation of power.

Wheresoever he toured, whatever

good he saw he wanted to bring its benefits to his country. He introduced to India foreign trees and plants which he personally cultivated at his estates in Panchgani, Bangalore and Ootacamund. While in France he made a study of the cultivation of the silkworm, and when he visited Japan in 1893 he invited the Japanese to experiment in sericulture. He picked on Mysore for climatic reasons. He discovered later that ages ago silk was a flourishing industry of that State and he had selected the right place and revived the industry. Similarly he chose the Sind area to experiment with growing long-staple Egyptian cotton. He gave detailed instructions to a number of people how to grow and experiment but, alas, the experiment was not successful.

He opened a park at Navsari, his home town, to house exotic animals. On one of his last visits he imported a pair of Italian greyhounds and white peacocks for breeding. Luckily for him there was an unlimited baggage allowance in those days!

The textile mills at Nagpur became Jamsetji's laboratory. He looked after every little detail of its growth. Here he tried experiments in technology and labour welfare never before attempted in India. To conserve the new Company's capital, he purchased in Britain

The Planners L to R : J.N. Tata, the founder, R.D. Tata (J.R.D. Tata's father), Sir Ratan Tata (standing), and Sir Dorab Tata





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low-priced equipment and, consequently, his yarn turned out to be of inferior quality. Quickly learning from his mistake, he replaced it with the most up-to-date American machinery, ring spindles, till then untried even by mills of Lancashire. In the future, nothing but the best was good enough for him.

The excellence of his new plant was matched by his care for the workers. He installed the first humidifiers and fire-sprinklers in India. In 1886, he instituted a Pension Fund and in 1895, began to pay accident compensation. He was decades ahead of his time and miles ahead of his competitors. The Empress Mills experiment showed that not only profits but people mattered to him.

Emboldened by these early successes, he decided in 1886 to buy a mill that had proved to be the graveyard of many reputations. This mill in Bombay had spacious acreage, but the unit itself was ramshackle. At 47, Jamsetji took on the challenge of making a 'sick' mill healthy. Humorously he called it 'my rotten mill', not realising at the time what a back-breaking task he was taking on. This second unit, called 'Svadeshi Mills' to mark the first beginnings of the *svadeshi*—national—movement, was

For the first—but not the last—time, a member of the Tata family risked his personal fortune for saving a public company.

massively supported by Indian shareholders who cheerfully invested in Jamsetji's, by now, rising reputation as an industrialist. But two years later the mills failed to pay a dividend. Rumours circulated. Share prices toppled to a fourth of the original. The name 'Tata' was at stake.

For the first—but not the last—time, a member of the Tata family risked his personal fortune for saving a public company. Banks refused Jamsetji an overdraft when he offered to pledge his Family Trust. Jamsetji revoked the Trust, liberated his capital, sold some Empress Mills shares and pumped more of his capital into the Svadeshi Mills. As soon as the shareholders learnt of this, the shares firmed up again. By an amazing display of personal energy, and by bringing the best of his staff from the Mills at Nagpur, he pitchforked the *svadeshi* unit into the top bracket of the

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textile industry. Within eight years, 'Svadeshi' cloth fetched the highest prices and was in demand even abroad.

Even as he battled for the survival of his industry, he was not too busy to think of the health of his workers. As polluted water was a cause of illness, he installed a water filtration plant and arranged for sanitary hutments. A grain depot was opened, followed by a dispensary, provident fund and pension schemes. In those early years he also introduced a system of apprenticeship. At that time, of course, there was no academic training in textile technology; so he urged graduates to study books from the Mill library.

In the 1880s, it was the practice of Managing Agents to charge a commission on production or sales, irrespective of whether the mills made a profit. Jamsetji pioneered the principle that a commission of 5 to 10% would be levied by the Managing Agents only on profits. Half a century later, the Indian Companies Act of 1937 turned his pioneering principle into the law of the land. One of his early biographers wrote: 'Had he no other title to recognition, his conduct of the mills would suffice'.

But much more was to come from his fertile genius. Successful in two textile ventures, his name trusted by the public, Jamsetji may have been tempted to multiply his wealth by adding to his textile units, since he and his staff had the know-how by now and the returns were speedy and massive. Instead he chose the unknown path to give India steel and hydro-electric power on a big scale. These ventures called for considerable risk, high management skills and painfully slow returns.

In 1902, five years before the site of the steel plant was located, he wrote from abroad to his son, Dorab of what his dream city of steel should look like.

'Be sure to lay wide streets planted with shady trees, every other of a quick-growing variety. Be sure that there is plenty of space for lawns and gardens. Reserve large areas for football, hockey and parks. Earmark areas for Hindu temples, Mohammedan mosques and Christian churches.'

Jamsetji had seen it all with his mind's eye.

In 1904, three years before the steel plant site was discovered, Jamsetji died at Bad Nauheim in Germany. In his last days, he urged his son, Dorab and close members of his family to carry forward the work he had started: 'If you cannot make it greater, at least preserve it. Do

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not let things slide. Go on doing my work and increasing it but if you cannot, do not lose what we have already done.' They not only continued but expanded his work. Others reaped, but he sowed.

Success or failure was not a major issue with Jamsetji. He did what was needed to be done in an environment which was not usually favourable to him. He respected Britain for its liberal

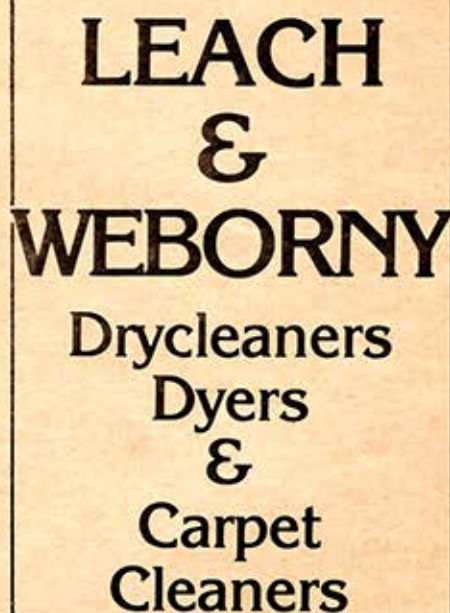
These ventures called for considerable risk, high management skills and painfully slow returns.

traditions but it fell to his lot to fight British imperialism wherever it stunted the industrial growth of his own country. For years he waged a war against the P & O Line which charged excessive freight for Indian exports to the Far East. He started, with Japanese collaboration, a rival shipping line. In the freight war P & O finally offered to carry cotton freight free to the Far East; the exporters failed to support Jamsetji and he had to close the Tata Line. But he did fight.

It was a struggle for his successors to set up a steel plant and get under way the hydro-electric projects. It was also a battle to establish a Science University for which Jamsetji had offered his properties worth Rs. 3,000,000—a staggering sum in 1898. This scheme, to which the then Viceroy, Lord Curzon was 'rather lukewarm', was Jamsetji's key to India's modernisation.

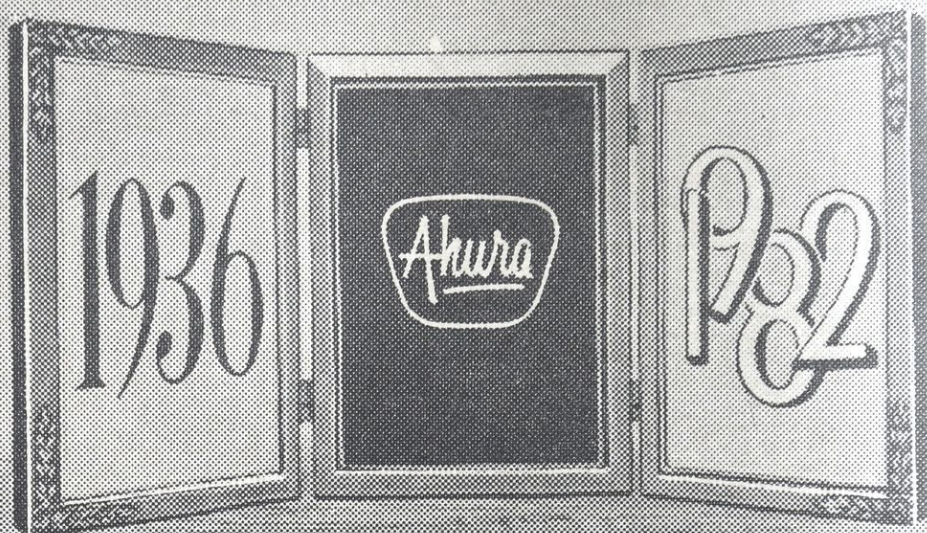
The British authorities were convinced that students who would pass out would not find employment because 'India had no industries'. The Secretary of State wrote to the Viceroy that he thought Jamsetji would divert some of his endowment to his other business projects of steel and hydro-electricity. Some of his close friends too poured cold water on the scheme. A lesser man meeting with such discouragement would have withdrawn the offer. Jamsetji was sore, but so clear was his conviction that he would not abandon the project. He simultaneously proceeded with his steel and hydro-electric projects. For him it was not a case of 'either/or'. At 60, he knew time was running out, but he had put his hand to the plough and he would not turn back.

What followed was the story of India's leap from the Middle Ages to the threshold of the Twentieth Century.



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The Birth of a Banker



POCHKHANAWALA THE BANKER by N.J. Nanporia
Asia Publishing House, Bombay. pp. 174 Rs 130

Sorabji Pochkhanawala



The year was 1910 and Stringfellow, manager of the Bank of India was certainly not amused. He had just been approached by his assistant accountant—a bright enough fellow—who was planning to start a bank of his own.

Stringfellow thought it a huge joke that a bright young man should give up a promising career in pursuit of what clearly was a chimera—the setting up of a Swadeshi bank. He tried to dissuade his assistant accountant from making such a rash decision. But the young man asseverated, "Sir, I have made up my mind. I resign (from) the bank's service. One day my bank will be bigger than yours."

Pochkhanawala's burning ambition was to establish an institution entirely under Indian control with himself as manager.

Sorabji Pochkhanawala was to make good his boast and go on to establish India's premier banking institution—the Central Bank of India. Pochkhana means a hotel and Sorabji's father, Nusserwanji owned in the 1880s a hotel in Mazgaon called Hope Hall, also known as Mazgaon Hotel. It was one of the finest hotels in Bombay at the time along with Wellington Hotel on Esplanade Road also owned by him. Nusserwanji lost all his money when the Agra Bank went into liquidation and Sorabji was only six when his father passed away. The elder brother Hirjibhoy took up the responsibility of providing for the family.

At the age of nineteen Sorabji joined the Chartered Bank where his brother Hirjibhoy was already working as a clerk on Rs 20 per month. The intricacies of banking fascinated Sorabji and he began to learn everything he could about every aspect of the bank's activities. His sharp mind, keen observation and retentive memory helped him considerably in this task. He moved from department to department and by ceaseless questioning began to learn about the bank's internal working.

Sorabji observed that though his brother Hirjibhoy had been head clerk at the Chartered Bank for fifteen years he had no hope of ever being promoted to the officers' cadre. This stemmed from a British policy that debarred Indians, whatever their merits and ability from higher staff appointments. When

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Sorabji passed the first part of his Institute of Bankers examination, the customary payment among London banks of a bonus of £ 5 did not apply to him because he was an Indian.

Sorabji then joined the newly established Bank of India as a sub-accountant at a monthly salary of Rs 150. In this newly formed bank, a number of ad hoc assignments had to be filled and the scope of Sorabji's responsibilities and experience were greatly enlarged. He enthusiastically took decisions in the absence of a manager calling on his past experience in the Chartered Bank. The swift and efficient manner in which he discharged all these duties brought him the compliments of the auditors. In short writes Nanporia, "he was given a field in which he could test his ideas, gather experience, make his own appraisals and assess them at their true worth in genuine self-criticism. A manager-less Bank, therefore, enabled him to conclude in all sincerity and without vanity that he had in him those capabilities that promised well for the future."

Pochkhanawala's burning ambition was to establish an institution entirely under Indian control with himself as

manager. This materialised when The Central Bank of India was founded in Bombay on 21 December 1911 under the chairmanship of Sir Pherozeshah M. Mehta.

The Central Bank of India under Sorabji Pochkhanawala had several 'Firsts' to its credit. Among these was the Home Savings Scheme introduced in 1921 under which each depositor was supplied with a small safe in which savings could be accumulated before crediting them to a savings account at 4% interest per annum, the inauguration in 1926 of the Safe Deposit Vault, administering estates on behalf of its clients and many others.

In an interesting memorandum Pochkhanawala wrote on what he expected from young aspirants to a career in banking: "The first thing I would like you to take note of regards your appearance and manners. Please remember that not only in the banking world but also in the world at large, other things being equal, a man of agreeable presence and address has a better chance of getting on than one who is lacking in these respects. The next point is what I call an accommodative disposition by which I mean a per-

son who is willing to work smoothly and agreeably with his colleagues and superiors. The third is mental awareness, that is a certain awareness and adaptability. Supposing you are asked an awkward question by your chief, do not give an offhand answer, but look self-possessed even if you do not feel so and say at once that you will look into it. The fourth is orderliness and method in work."

When he passed away from an illness on July 5, 1937, Pochkhanawala left behind a void in Indian banking that could not easily be filled. Nanporia's biography is an incisive one. He has a remarkable sensitivity to all the nuances of old Bombay and he conjures them up through his remarkable prose. The chapters on the history of Indian banking and the stresses and strains that it was exposed to in the last century are brilliant.

There are, it has been said, two kinds of Parsees — those who work in the Central Bank and those who do not. This biography takes the measure of a third breed — Parsees like Pochkhanawala who made things like the Central Bank possible.

Rusi J. Daruwala



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Live and Let Die

The Life of Dastur Dhalla XXVII

Aek Atmakatha is the autobiography of the late Dr. Maneck Nusserwanji Dhalla, high priest of the Pakistan Parsis and a scholar of world repute. This is the 27th edited and condensed extract from the book "Dastur Dhalla - The Saga of a Soul" — an English translation by Gool and Behram Rustomji of the original Gujarati, published by the Dastur Dhalla Memorial Institute, Karachi.

THE STORY SO FAR

Born to a poor Dastur family in Surat on 27 August 1885, Dhalla moved with his family to Karachi three years later. He was married to five-year-old Cooverbai when he was eight years old. After failing his matriculation, Dhalla sought employment while educating himself in religious matters. With the assistance of the Karachi Parsis, Dhalla studied Iranian languages in Bombay and then proceeded to Columbia University in New York, where he was awarded a Ph.D. in 1908. On his return to India he was nominated head priest of Karachi in which capacity he tried to critically evaluate old religious beliefs and customs in the light of his broadened outlook.

This approach caused him to clash with the more orthodox section of the community and he became involved in several religious and social controversies.

But despite the opposition, Dhalla proceeded with his efforts to educate the community and resolve old conflicts.

In the last instalment, Dhalla wrote of efforts to resolve the controversy over the disposal of the dead in Bangalore where both a cemetery, and later a dokhma, existed.

It is a very old practice of ours for corpse-bearers to carry the corpse on their shoulders to the Tower of Silence. We have witnessed the sorry plight of corpses drenched with rain during the monsoons. Since decades there have been complaints particularly in Bombay against the indecent appearance, despite all caution, of corpses covered with rain-drenched sheets being carried along the roads and viewed from the 4th or 5th storey. Thought-provoking arguments are put forward, stating that since a corpse is impure — and particularly that of a person who has died of an infectious disease like plague — water dripping from it onto the ground carries germs which are harmful to the well-being of the living which is wrong according to Zoroastrian principles.

On such sound pleas, a reform to take the corpse in a vehicle has been suggested since the middle of the last century, but is still being vehemently debated. In 1879 Seth Jamshedji Dadi Sethna had an iron carriage made in England and sent it to the trustees of the Bombay Panchayet. A strong protest was raised and the votes of the dasturs were invited. They voted against carrying the corpse in a carriage as being against the codes of religion, hence the iron vehicle was not utilized. 70 years have gone by since this event. A carriage has made an appearance at some places but it has not been able to gain ground in Bombay and elsewhere.

The main objection to carrying a corpse in a carriage is that it is more respectful to carry it on the shoulders.

Due honour is not given to the departed one, if the dead body is conveyed in a vehicle. Many educated and learned people argue in this way with deep feeling. After 25 years of unsuccessful attempts at conveying the corpse in a car in Karachi, it has come into use since a few years. Many orthodox families are not utilizing it yet. Those who do use it do not place the corpse in it right at the doorstep, but as if to pay respect to the dead walk a short distance carrying it on their shoulders. Thereafter it is placed in the car that awaits at a distance. This system is not only cumbersome but presents an unpleasant sight when the bier carrying the corpse is placed in the middle of the road.

For thousands of years man was content with light radiating from coconut and kerosene oil-lamps, candle sticks etc., but since the last century he has been in search of brighter and ever brighter illumination and is now reaping the benefits of that research. At the end of the last century when there was a move to instal electric lights in our Fire Temples there was a strong vote of censure against it and fanatics termed it irreligious. Their main objection was that electric wires were handled by non-Parsis throughout the town and when fitted in temples their sanctity would suffer a setback. Another objection was that as the radiance emanating from electric lights was more brilliant than that of the sacred fire installed in the Daremehers and Atashbehrams it would be an insult to the holy of holies.

Such ridiculous protests were raised not only by uneducated or less-educated orthodox dasturs and mobeds but even by young ervads who had taken Avesta and Pahlavi as their second language and received their B.A. and M.A. degrees from the university, thus causing unnecessary hindrance in the progress of the community. Years of discussion have finally ended in success. Although recently, when there was a talk about introducing electricity in Udvada, there were cries of disapproval that it is wrong and sinful to instal electric lights even on the streets of so sanctified a place like Udvada and it is only now that that town has, for the first time in its history, been illumined by electricity.

While the tug-of-war concerning burial and the Tower of Silence was going on between the reformists and the conservatives, certain members of the reformist party enthusiastically proclaimed that the days of orthodoxy were num-

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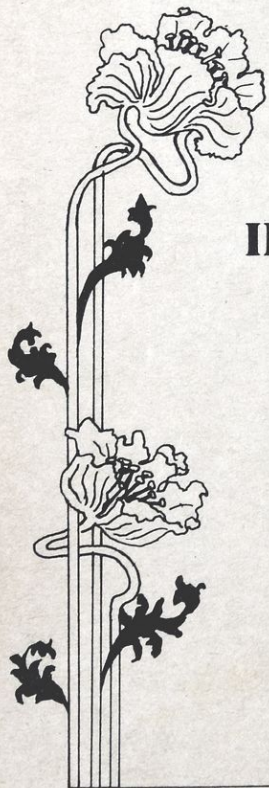
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bered and that it was breathing its last. These innocent folk are mistaken. Orthodoxy has been born with the benediction of a long life. It will live as long as man exists. Depending upon a nation's mental development, it will exist in a weak or strong form. As a

They voted against carrying the corpse in a carriage as being against the codes of religion.

community we are educated and cultured; yet due to hereditary priesthood our practicing priests, the sect that is the custodian of our customs and conventions, (excluding the few exceptions of university-trained dasturs and ervads) due to a lack of opportunity to study beyond the four or five standards of the vernacular as taught in the old tutorial schools or the 4th or 5th grade in English as per the new system at the Madrasah, will remain narrow-minded and conservative. Consequently, side by side with the advance in education of lay men and women, orthodoxy is bound to thrive and flourish.

In spite of that, the scourge of time somehow enfeebles even long-lived orthodoxy. The educated sons of many an orthodox dastur or panthaky are garbed in European attire today. Similarly their daughters and daughters-in-law move about openly with uncovered heads. To start the day with the application of taro on the face and limbs and many other customs are being frowned upon in these families. 100 years ago it was impossible to find a home in which a woman's menstrual period was not observed. This has been changing decade by decade. Only the last six years of the present war have dealt almost a dealt-blow to this age-old custom. In Karachi alone, approximately 100 girls from lay and priestly families work in the defence services on high salaries every day of the month. The proportion of women working in other cities may be calculated from these figures. So the embankments of orthodoxy are definitely being washed away by degrees.

The clash between the onward march of the community and the customs that obstruct the reforms that follow on the heels of time, is sure to continue. We must not forget that while remaining within the fold, sound and solid customs not customs that are weakened and

worn-out by all consuming time — cannot be scoffed at, unmindful of the majority. One such obstinate custom is that of Dakhmanishini. Having flourished for 2,500 years it has become deep-rooted. Ancient Avesta, Pahlavi, Pazend, Persian and Gujerati writings have

It is wrong and sinful to instal electric lights even on the streets of so sanctified a place like Udvada.

unanimously acclaimed it sacred. It is admittedly a custom but a sacred custom that is accredited to be a religious principle.

A war is at present waging between the age-old practice of Dakhmanishini and the modern age. We cannot say what the future foretells. But this much is certain that 100 years ago it would have been extremely difficult to find anyone opposed to this custom of disposing of the dead. 50 years ago at least 50 families were struggling to be released from the burden of this custom. Today their strength has increased, so we can only guess what may be in store. How-

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ever at present an exceptionally large majority of the community looks upon it as sacred, religious and virtuous and deems any other system of disposal as impure, irreligious and sinful. Therefore to remain a part of the community and yet to endeavour to effect an alteration that annoys it, is impractical and improper.

My humble attempts to bring about an understanding have proved unsuccessful. The Aramgah party has already legally secured the authority to manage the cemetery that was sealed by the Anjuman party. Consequently, side by side with the Tower of Silence, those who wish to bury their dear departed ones will continue to do so.

Next to the Juddin problem, the major question that has tormented us since the start of the century, is this question of disposing of the dead. Various communities either cremate or bury or drown the corpse. In the age of the Vendidad we gave them as prey to dogs and birds and today only to birds and leave them open to the rays of the sun. Each nation looks upon its own custom as the only sacred one. Each regards it as an inviolable and eternal commandment and considers all others irreligious.

Should a Zoroastrian corpse be disposed of by any other method then instead of reaching heaven, the soul goes astray.

The system of Dakhmanishini has been in vogue since the days of the Vendidad, hence it is quite understandable why it is so vehemently defended when opposed. But at times, carried away by emotion, we say and write things which seem to cross the borders of common sense and appear quite ridiculous. It is declared that the composition of the Gehsarna and other funeral rites is so mysterious and infallible according to divine laws that Dakhmanishini and giving the corpse as prey to birds, is the one and only system that suits it to perfection. Should a Zoroastrian corpse be disposed of by any other method then all the prayers and ceremonies would be wasted and instead of reaching heaven, the soul of the dead goes astray.

Times are changing. The population of modern cities exceeds 50 to 75 lakhs, and is constantly increasing. Due to this even burial is gradually becoming

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impossible. Since the end of the last century a protest has been raised against it in the West. The newly-enlightened system of turning the corpse to ashes through 'crematorium' is acclaimed by sensible people as the most rapid and most hygienic way of disposing of the rotting and diseased corpses.

Fifty years ago, when the crematorium movement began in the West, there was a strong protest against it. Bishops and priests started a regular jihad against it. Priests openly refused to perform the final rites of those who scorned public opinion and cremated the bodies of their dear departed ones. Eventually the bishops and priests have had to relent. Now they give extreme unction to those who are to be cremated. Today many great ones are openly cremated. The Archbishop of Canterbury, the High Priest of the entire Protestant Church was cremated in public only last year according to his own wishes.

In the recent events that occurred in Poona to bury the dead, our dasturs and mobeds have refused to perform the Gehsarna ceremony. Like the priests, our Zoroastrian dasturs and mobeds of the East will have to surrender. Dakhmanishini is not a system created by the Almighty — it is a man-made system. This system of disposing of the corpse has been rendered a sacred custom because of its practice for 3,000 years. Yet, even its 3,000 year-old tradition of sanctity has not endowed it with immortality. With the change of times and circumstances its sway has come to an end. Dakhmanishini is merely a tradition. The demolition of a tradition is not the destruction of religion. Tradition is not religion. In understanding, digesting and acknowledging this fact lies the wisdom of all concerned.

All these years the minority has obeyed the majority in all matters, out of sheer respect for its feelings. But now that time has changed. The minority too has feelings. Just as the sentiments of the majority are injured when their wishes are not respected, the minority's sentiments are hurt too. Therefore, in this age of individual liberty, the orthodox party must be prepared to have the broad-mindedness to let each one follow his own inclinations in the observance of conventions.

There is sanity in allowing each to do as he wishes with regard to Dakhmanishini burial or crematorium. It is the birth-right of the new age.

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The Parsi Punchayet Case

Petit vs Jeejeebhoy XI

Practical Absurdity

THE JUDGEMENT SO FAR

In 1903 R. D. Tata married according to Parsi rites, a French lady, after having her navjote performed. Tata claimed his wife "had become a Parsi professing the Zoroastrian faith and consequently she was entitled to participate in all the charitable and religious Funds and Institutions of the Parsis including the right to enter fire temples and have her body consigned to the Towers of Silence."

Thus the scene was set for the historic court case of Petit vs Jeejeebhoy, also known as "The Parsi Punchayet Case."

The question before the two judges of the Bombay High Court, Justice Frank C. O. Beaman and Justice Dinshaw Dhanjibhoy Daver, was whether a person born in another faith but converted to Zoroastrianism was entitled to the benefits of certain community trusts.

The plaintiffs (Sir Dinshaw Maneckji Petit; Tata and others) contended Zoroastrianism enjoins and practises conversion and that converts are entitled to all the benefits provided. The defendants (Sir Jamsetji Jeejeebhoy and others) while admitting that Zoroastrianism permits conversion state that "ever since their (Parsis) advent into India (they) have not admitted a Juddin (Person belonging to another religion) into their fold. They admit, however, that children born of a Zoroastrian father by an alien mother have been admitted into the fold by the performance of the Navjote ceremony"

Justice Daver in his part of the judgement serialized earlier, ruled that converts that not avail of the trust benefits. Justice Beaman's judgement begins with this issue.

When I left India, in April, I did not feel prepared to adopt, in their entirety, what I then understood to be my brother Davar's reasoning and conclusions upon the rights of Converts to Zoroastrianism to participate in the benefits of the Charitable Funds administered by the Defendant Trustees. It was therefore understood that we should deliver separate Judgments on this head. But it was also understood



Justice Beaman

that, in the time which must elapse before we could meet and deliver Judgment, we would give unremitting attention to the principal points and to each other's views upon them, so that, if possible, we might, after all, avoid the necessity of any difference of opinion, if possible, even of pronouncing separate

Judgments.

A considerable amount of correspondence passed between us, and since my return we have further elaborately discussed the whole evidence and every argument which has occurred to us, or been suggested to us by Counsel, for and against the right of Converts to participate in the benefits of the Funds. In addition to these personal conferences, I have carefully studied the elaborate second part of Davar J.'s Judgment; and while I am doubtful still whether we look at all parts of the complicated question eye to eye, it is a source of great satisfaction to me that I am able to agree with the main conclusion.

Perhaps I am led to that result by slightly different trains of reasoning, but that is comparatively unimportant. I think I do not flatter myself when I say that the criticisms I freely offered have led to the modification of many parts of my learned brother's Judgment, and have thus made it easier for both of us to take common ground and give to the principal question an unanimous answer. But I have felt, and I have understood too that this was my brother Davar's wish, that I ought to add a few observations of my own, before disposing of the question which aroused so much feeling in the Parsi Community of Bombay. I shall make those observations as short as I can; they will, indeed, take the form of a few supplementary comments upon Davar J.'s Judgment. My object will be to make it as clear as I can, in the fewest and simplest words, why I, too, hold that the Trustees were right in excluding Converts from the benefits of their Trust Funds and Properties.

In The Deed of 1884, the Trusts are declared for the benefit of all members of the Parsi Community professing the Zoroastrian faith. Now, when those words were used, we must remember two things: Firstly, they were used by an English draftsman, who surely had not

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the slightest idea—could not have had, unless prophetically gifted, the faintest premonition—of the use to which they would be put or the trouble to which they would give rise. No practical question had been raised about what did, or might, constitute membership of "the Parsi Community:" whether the qualifications were solely religious or solely racial, or a mixture of both. The draftsman thought, as probably every one else thought at that time, that the Parsi Community was a phrase of sufficiently precise and definite connotation; and that there never could be any question about the class denoted.

Secondly, the qualifying words "professing the Zoroastrian faith" were inserted not to exclude Converts *to*, but Converts *from*, the Holy Zoroastrian faith. About that there can be no serious doubt; and, if not expressly admitted, it was impliedly admitted during the progress of this case, over and over again. The Parsis of Bombay were beginning to be exercised in mind over the cases of Converts to Christianity; and they naturally wished to make it clear that no such Converts, though originally of the Parsi Community, would be allowed to

**They did not seek to make
Converts: all they desired
was that their own
people should not
be converted.**

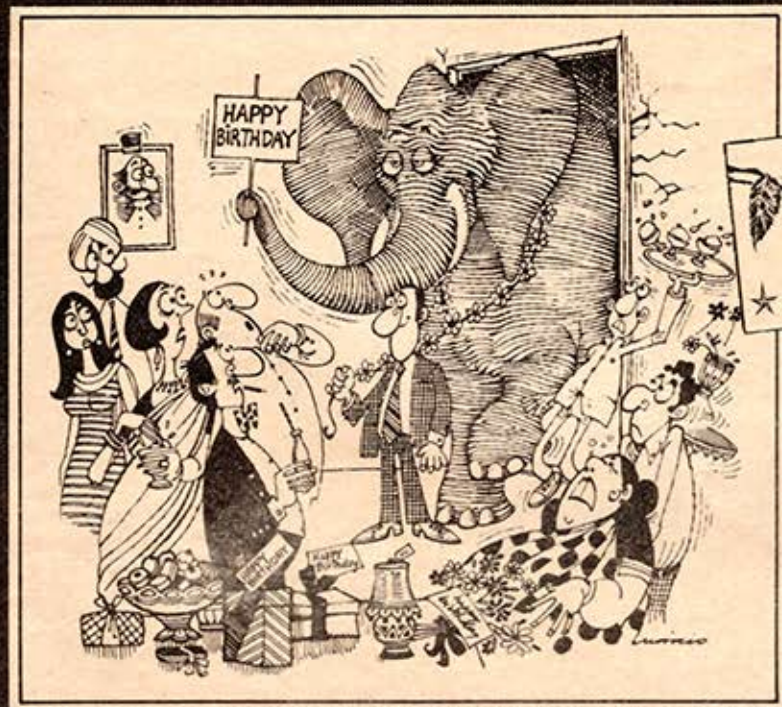
share the benefits of the Funds and Properties.

So far all went well. It was only when the 6th Plaintiff married a French wife, who openly professed the Holy Zoroastrian faith and was publicly and formally received as a Convert into the Zoroastrian religious communion, that the "jealous bigotry" of the orthodox was aroused, and all the possibilities involved in the acceptance of such a fact began to be vividly realized. In the ferment which followed, the Trustees threw their weight on the side of local Parsi orthodoxy. Finally, they publicly announced, as Trustees of virtually the whole public religious establishment of the Parsi Community of Bombay, that they would not extend the benefits of

their funds to Converts, or allow Converts the use of their places of worship and burial. Thereupon seven members of the Parsi Community of Bombay obtained the consent of the Advocate-General and brought this suit with the object, *inter alia*, of getting a declaration out of the Court that Converts were entitled to all the benefits of the Trusts administered by the Defendants.

To understand the question itself and the method of its development before us, we must turn to the Trust Deed of 1884. Here, as I have said, the Trustees declare themselves to be Trustees of practically the whole public religious establishment of the Bombay Parsis, for the benefit of "members of the Parsi Community professing the Zoroastrian faith;" and later, when it was sought to introduce a foreign Convert, they construed the terms of that declaration in such a way as to exclude from the benefits of their Trust all who were not born of Parsi parents or who did not come within the definition of Irani Parsis; and further, they limited Parsi parentage to the father, thus excluding children of a Parsi woman by a foreign father.

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To this the Plaintiffs demur. They contend, in the first place, that the Trustees have wrongly declared the Trust in the phrase I have quoted; in the next, that if that phrase correctly declares the scope and objects of the Trust, the Defendants have wrongly construed it. The Plaintiffs say that the phrase may be unobjectionable in itself, but its real meaning includes all who become members of the Parsi Community by conversion and thenceforward profess the Zoroastrian faith. In other words, that the Parsi Community means nothing else, and consist of no other persons than those who profess the Parsi or Holy Zoroastrian religion. And the Plaintiffs propose to prove this contention by reading evidence of the practice from old times of the Bombay Parsis in this respect, as well as any and all evidence throwing any light upon the true intention of the Founders of this Trust at the time of their foundation. This course was at once and strenuously resisted.

The Defendants contended that the Plaintiffs could not go behind the Deed of 1884. I may say at once that my learned brother and myself agreed that

We can easily prove that the Zoroastrian religion was originally a proselytizing religion; that its tenets not only permit but energetically enjoin the making of Converts.

the Defendants' contention was unsustainable. Where a body of persons solemnly declare in a formal Deed that they hold properties and moneys on Trust; where they further declare the objects of that Trust, as they understand them; where they are in possession of whatever documentary evidence there may be accompanying the foundation of Trust and showing what was the intention of the Founders, it appeared to me, and still appears to me, preposterous that they should seek to prevent the Court from obtaining, whenever it can, by parol or writing, proof of what the founder of these Trusts really meant.

We have to decide—if we have to decide anything—whether the Trustees have rightly understood and given effect to the objects of those who entrusted the properties and moneys to their keeping. How are we to do this, if not by searching exhaustively into the past, and weighing whatever evidence may be there found throwing light on the intentions of the Founders?

Starting, then, from the *causa causans* of this litigation—the words of the Deed of 1884 and the subsequent construction put upon them, the Plaintiffs' case as I understand it—is, all these Trusts are public religious endowments and charities. They were founded not for racial or tribal, but for religious purposes. The Founders *ex hypothesi* intended them—since they are not only public religious establishments of the Parsis—for the benefit of all professing that faith. Who then profess that faith? Can it be said that only those who are born in it profess it? Certainly not. For we can easily prove (and this has since been admitted over and over again before us) that the Zoroastrian religion was originally a proselytizing religion; that its tenets not only permit but ener-

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getically enjoin the making of Converts.

It, therefore, follows that, where a religion notoriously enjoins conversion, and where devout members of that religion found public places of worship and burial for the use of those who profess that religion, they must have contemplated—they must be deemed to have contemplated—Converts to the religion participating in the benefits of such endowments. Any other view leads at once to this practical absurdity, that you have a great religion ordering conversion, and yet refusing to allow Converts any lot or part in its public religious communion.

That is, I believe, a fairly accurate statement of the Plaintiffs' main argument. It is an extremely powerful and convincing argument. For many months, reflecting over the whole case, I was inclined to accede to it. I was greatly pressed by its simple logic. And I may add that I do not think it gained anything from the oral evidence which was led by the Plaintiffs to supplement it.

With the exception of one or two semi-mythical cases, it must be perfectly plain to every one who heard the evidence given, or who has taken the trouble to study it since, that it had nothing to do with conversion in the sense in

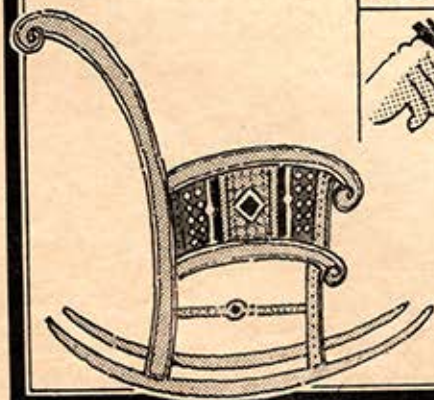
They rely on the absence of all conversions, to prove a custom abrogating one of the fundamentals of their religion.

which we are asked to deal with that question. Admitting illegitimate children, or, for that matter, adopted waifs—to put the most charitable construction possible on some of the instances—into the Parsi faith and communion, is altogether different from allowing adult conversion from one faith to another. By far the strongest instance was that of Sonabai. And even if we concede that all those who have given evidence about her have told the truth, and nothing but the truth, what does it amount to? She may have been smuggled in infancy into a Parsi family, and brought up as a daughter of the house, duly invested with the Sudra and Kusti, and married to a Parsi. Thenceforward she may have been allowed to worship in the Fire Temples. But who was to know anything about her real origin?

Having regard to the rest of the evidence, it becomes only too plain that illegitimate children of Parsi fathers were in the same way smuggled into the Community, especially in the mofussil, where the Parsis were scattered and under little or no communal control. If any orthodox Parsi, after Sonabai was grown up, had entertained suspicions, he would probably have quieted them by assuming that she was a natural child of her adoptive father. There was too much dirty linen of this kind, in too many reputable Parsi families, for any one to be over eager to wash it all in public for the sake of a doubtful principle. As to what happened when Sonabai came to Bombay to give evidence, the same considerations apply. I do not doubt she did frequent some of the Fire Temples in Bombay. But, dressed as a Parsi woman, who was to know anything about her? I do not say, of course, that had the priests known, they would at once have turned her out. That would be going too far yet, and begging the question raised by this part of the evidence. For the Plaintiffs' case is that because she was a Convert, she was allowed free access to the public places of worship. All that I can yet feel justified in saying to that is that I do not see

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how any one was to know whether she was a Convert or not. It would, of course, have been different had she, before entering, announced herself as a Hindu converted to Zoroastrianism. But nothing of that sort is alleged. Suppose we in England were as strict as the orthodox party—say, the Parsis—in Bombay are, how could anyone in, say, St. Paul's Cathedral, know whether every quiet and orderly member of the congregation had the requisite qualifications? I consider the whole of the oral evidence touching alleged conversions in Surat and other places utterly worthless.

No doubt, had it been possible for the Plaintiffs to prove a well-established custom in conformity with the precepts of their religion, of making Converts and admitting them to full religious communion, this would have done them great service. But the failure to prove this does not, in my opinion, do them anything like proportionate disservice. Indeed, I think too much stress has at various times been laid upon usage. I thought from the first that when the Plaintiffs had established the propositions,—(a) that the Zoroastrian religion enjoined conversion, (b) that the Properties and Funds in suit consti-

**Admitting illegitimate
children into the Parsi faith
and communion, is
altogether different from
allowing adult conversion
from one faith to another.**

tuted virtually the whole public religious establishment of Zoroastrianism in Bombay, it lay rather on the Defendants to show that Converts were not entitled to participate in the benefits of that establishment. But the Plaintiffs went cheerfully on at once to try to convince us that many Converts had, from time to time, in comparatively recent times, been made and admitted to the Temples and Towers. So far from proving anything of the kind, all that that evidence has revealed is that many mofussil Parsis kept alien mistresses, had illegitimate children by them, and brought up those children as orthodox Parsis.

Now, the Defendants have admitted all along that the bastard children of a Parsi father are eligible and may be

admitted to the Zoroastrian communion. So far, then, as the oral evidence goes, the Plaintiffs were very soon seen to be beating the air. It is true that this evidence was meant to prove conversions in the proper sense of the word, but no one can seriously contend that it does do so. What the Defendants deny is the right of any foreign Convert, in whose veins no Parsi blood runs, to become a member of the Parsi Community, and as such to share in the benefits of their public, religious and charitable endowments. And I cannot say that the oral evidence discloses any instance of the kind contemplated, or any instance remotely resembling it. Again, I must insist upon the distinction between conversion of the kind we really have to deal with, and adoption in infancy. One solid reason is that while, in the first case, all the circumstances would be at once known, in the second, it must always be a matter of real doubt whether the adopted infant was really of foreign extraction or an illegitimate child of a Parsi father. And when we are asked to decide whether Converts *qua* Converts, as distinguished from bastard children of Parsi fathers, are entitled to share in these Trust properties, such evidence as the Plaintiffs have offered us—

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oral evidence, I mean—is seen at once to be utterly valueless.

This is not necessarily so, when we come to consider the documentary evidence. That stands on quite another footing. But, while I think of it, I will shortly deal with one point which seems to have obtained undue prominence at some stages of this long litigation. I may be wrong, but I think the Defendants relied, and strongly relied, upon what they called the long, uninterrupted, and uniform usage of the Parsis in India to the contrary. And, speaking here with the utmost deference and respect, I think that that consideration had some weight with my learned brother. With me it carries absolutely none. What is the position? The Defendants admit that their religion enjoins the making of Converts. But they say that, since the Parsi emigration from Persia some twelve hundred years ago, the Indian Zoroastrians, commonly known as Parsis, have never carried out that religious precept. And they rely on the absence of all conversions, in the proper sense of the word, to prove a custom abrogating one of the fundamentals of their religion.

In this connection, reference will probably be made to a case decided by

The Zoroastrian religion forbade infant marriage. But the Indian Zoroastrians uniformly practised it.

Scott J. some years ago, in which it was held that long-established usage overrode the canon law. The Zoroastrian religion forbade, as the learned Judge held, infant marriage. But the Indian Zoroastrians were shown to his satisfaction to have uniformly practised it. He accordingly decided in favour of infant marriage. That no doubt was a very proper and just decision in the circumstances of the case. But how does it bear on this question? I do not think it has any bearing at all. There is a perfectly plain and intelligible distinction between a positive or affirmative, and so-called merely negative custom or usage. The latter is not, in strictness, a usage or custom at all. It is, as soon as the proposition is fairly stated, clearly absurd to reason from mere non-use to the contrary affirmation.

The Zoroastrian religion enjoins

making Converts. But for many years we have not made Converts. Therefore, although we still profess that religion and revere all its essentials, we rely on a custom of NOT MAKING CONVERTS, to abrogate the positive commands of our religion. That is what the Defendants would say on this point, and it only needs to be stated to be set aside as absurd. There cannot be a custom of not doing a thing. Circumstances may have combined to render it undesirable or impossible, and so a practice may have fallen into desuetude. But as long as the cardinal dogmas of the religion itself have remained unchanged, their efficacy, where, as here it is freely admitted, cannot be impaired, much less destroyed, by inability or unwillingness to obey them. It is as much the duty of every pious Zoroastrian to-day to make Converts as it was in the remote past. As a general abstract proposition, I think that is self-evident.

Now, let us look a little closer into the origin and justification of the alleged negative custom. The most orthodox, the most bigotted, champions of the Defendants' case are agreed here. We did not make Converts, they say, since we came to India, because we could not. That naive explanation is, of course,

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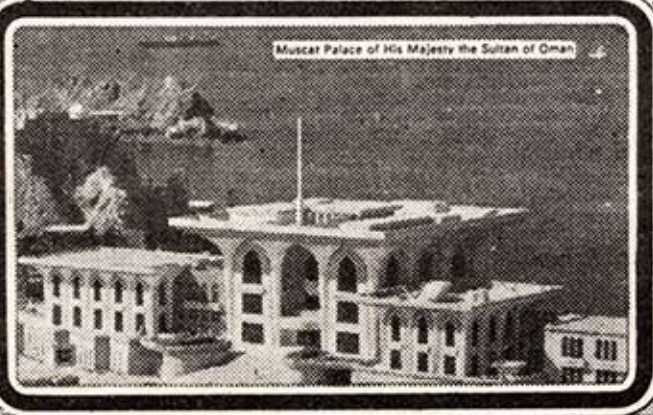
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perfectly true. But what of its effect upon the use to which this inability is now sought to be put? Look at the facts. The Zoroastrians were expelled from Persia, or fled from Persia. Those who reached India were a scattered remnant. They were only too glad to receive an

It is as much the duty of every pious Zoroastrian to-day to make Converts as it was in the remote past.

asylum, to be allowed to live in peace and profess their ancient faith. In such circumstances, the idea of proselytising was impolitic and impracticable. They had enough to do to preserve their own faith, their own little society, against the impact of great surrounding forces, which, if not actively hostile, were not altogether sympathetic, religious, and social.

The danger which the early Indian Zoroastrians had to face, was the danger of being absorbed into the masses among whom they sojourned; their chief care must have been to maintain the purity of their own faith and the traditions of their own people. Any attempt at proselytism in those days would have invited reprisals. It would have been—regarding them as a body politic—politically suicidal. They were the strangers; they were the weak and broken fugitives. Of course; they did not seek to make converts; all they desired was that their own people should not be converted. Because, under these conditions, there is no trace of any proselytising actively for centuries—until owing to the influence of many other evident causes, the essentially religious had been superseded by an essentially caste spirit when another and equally potent expla-

There cannot be a custom of not doing a thing.

nation begins to emerge—no inference can fairly be drawn that a local custom against making Converts had grown up.

Yet, in the records and documents before us, there is ample evidence, I think, to show that, although no practical effect was given to it for reasons of policy, the idea of conversion was quite familiar to the whole Indian Zoroastrian community, and frequently

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formed the subject of elaborate references, hypothetical cases, and controversial treatises. I shall have a word or two to say on that later. I will now dismiss the point I have been discussing with this observation, that while the absence of any well-accredited instance of a genuine conversion has, in my opinion, little or no bearing—as usage or custom negating the canon law—on the Plaintiffs' *a priori* case, the fact may and probably will give rise to considerations of some importance when we try to ascertain, what the intentions of the Founders of these Trusts were at the time they founded them. And this clearly invites a precise statement of the real question we have to answer. That question is not, whether the Zoroastrian religion permits conversion, but whether, when these Trusts were founded, the Founders contemplated

I consider the whole of the oral evidence touching alleged conversions in Surat and other places utterly worthless.

and intended that Converts should be admitted to participate in them. Too much stress cannot be laid on this, because the first question really does not arise, while the second is the only question that does arise on this part of the case.

It may at once be said that the Zoroastrian religion does admit—even does enjoin—conversion. That cannot be and has never been categorically denied. It is true that the so-called learned men who have come before us to support the Defendants' case have wasted hours of our time in puerile attempts to gloss away the plain letter of the law. But that must be attributed partly to invincible bigotry which proverbially dulls the sharpest wits, and partly to a natural stupidity and want of training in clear thought, which prevented witnesses of the type of Mr. J.J. Modi from disentangling his own revelled thoughts and opinions. Passing over these interminable silly sophistries, and admitting that Zoroastrianism enjoins conversion, we are only a step—and that not, in the result, a very important step—on the way to our conclusion.

To be continued

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Ardesar Kharsedjee Wadia has been described as "the man who had the honour of introducing gas light into India".

His house in Mazagaon was first lit by gas on February 20, 1834. The Earl of Clare, who was the governor of Bombay at that time, inspected the installation in the following month and presented Ardesar with a Dress of Honour.

Ardesar was a master builder, and later, head engineer of the Steam Factory and Foundry of the Bombay Docks. He was the great-grandfather of Sir Ness and Cusrow Wadia. In 1897, his grandson, Naorojee Wadia achieved another "first" when he installed an electric dynamo at his house.

But this is the story of gas and the beginnings of the Bombay Gas Company.

Having already realised, in 1832, "that lighting and the police are the two eyes of a great city," and that "a shining light in the street is worth two policemen," the Bench of Justices (who watched over civic affairs in the city) decided to do something about brightening the city, after dark.

The buttee lamps with their "dirty oil and flickering wicks" were outdated and inadequate for the purpose, both in number and strength.

So, in 1859, the Justices decided to introduce gas for street lighting.... "some correspondence ensued as to the financing of lighting by gas when finally introduced. The Government suggested that the Justices should raise a special loan. But eventually, it was deemed that an English Company should be invited to take up the work."

And some enterprising citizens of the day, including the firm of Messrs. Nicol and Company, arranged for the successful floating of the Oriental Gas Company, the precursor of the present Bombay Gas Co.

The firm had its head office at Hornby Road. In 1863, it began the erection of its works at Parel, and the laying of the mains. For those interested in the technical details, the works, at first, comprised ten settings of cast-iron retorts, which were replaced, later, by fireclay ones. By 1909, eight beds of seven retorts were in constant use, to meet the city's needs.

The purifying was originally carried out in four cast-iron boxes, only two of which were necessary at that time. The purifying material was oxide of iron which was prepared at the works itself.

According to one source, high-

NEWS FROM THE MEDIA

Gas Works Set Up



Ardesar Kharsedjee Wadia

quality coal was imported from Newcastle. "The coal at first used was Australian and English silt-stone, and great trouble was experienced from spontaneous combustion". During the Transvaal wars, indigenous coal was used but proved "very defective". Later, Australian and Indian coal was utilised, supplemented by an occasional shipment from England.

Originally the works contained two gas-holders, with a capacity of 1,50,000 cubic feet apiece, and both telescopic, with two lifts. In 1892, a new holder was erected with a capacity of 2,40,000 cubic feet.

The original gas-pipes leading from the works were of lead, the main one being 24 inches in diameter, narrowed to 4 inches by the time it reached Colaba. The lead-pipes were eventually substituted with wrought iron piping because of "their liability to crushing by the weight of the increasing traffic".

That first year—1865—the city had 220 gas lamps. "Great as was the satisfaction of the citizens when Vehar water was first introduced into the city a little earlier there was greater satisfaction when gas light was introduced. And so remarkably did the people appreciate it that some rich citizens offered the Municipality, then just established, to present those huge five and three light lamps with fine posts at great junctions in the city." Crawford's fireflies—triangular lights that looked from a distance like so many fireflies hanging in the air—were named for Arthur Crawford who "was greatly instrumental in promoting this branch of civic utility."

In 1868, the number of gas lamps was increased to 700, each lamp having a separate meter. Two years later, the meters were abandoned and a fixed charge per lamp was introduced. By 1894, the number of lamps had been increased to 4,000, incandescent burners replacing the flat flame burners.

Till 1938, when a few electric street lamps were installed in the city, gas was still mainly in use for street lighting. The "Queen's Necklace" at Marine Lines was gaslit till as recently as 1967.

Besides street lighting, gas was supplied by the company for domestic and industrial use too. Gas coke was a by-product used in most city homes. The government Mint used "Bombay gas" as it was known. The company also did "considerable business", erecting gas illuminations during Diwali and other festivals.

Gas, however, behaved in much the same way in the days when it was first introduced as it does today. In 1866, Framji Cowasji lighted his mansion with gas, and to celebrate the event, invited his friends to a dinner. Some of the guests were "quite overcome by the noxious smell as no arrangements existed for purifying the gas".

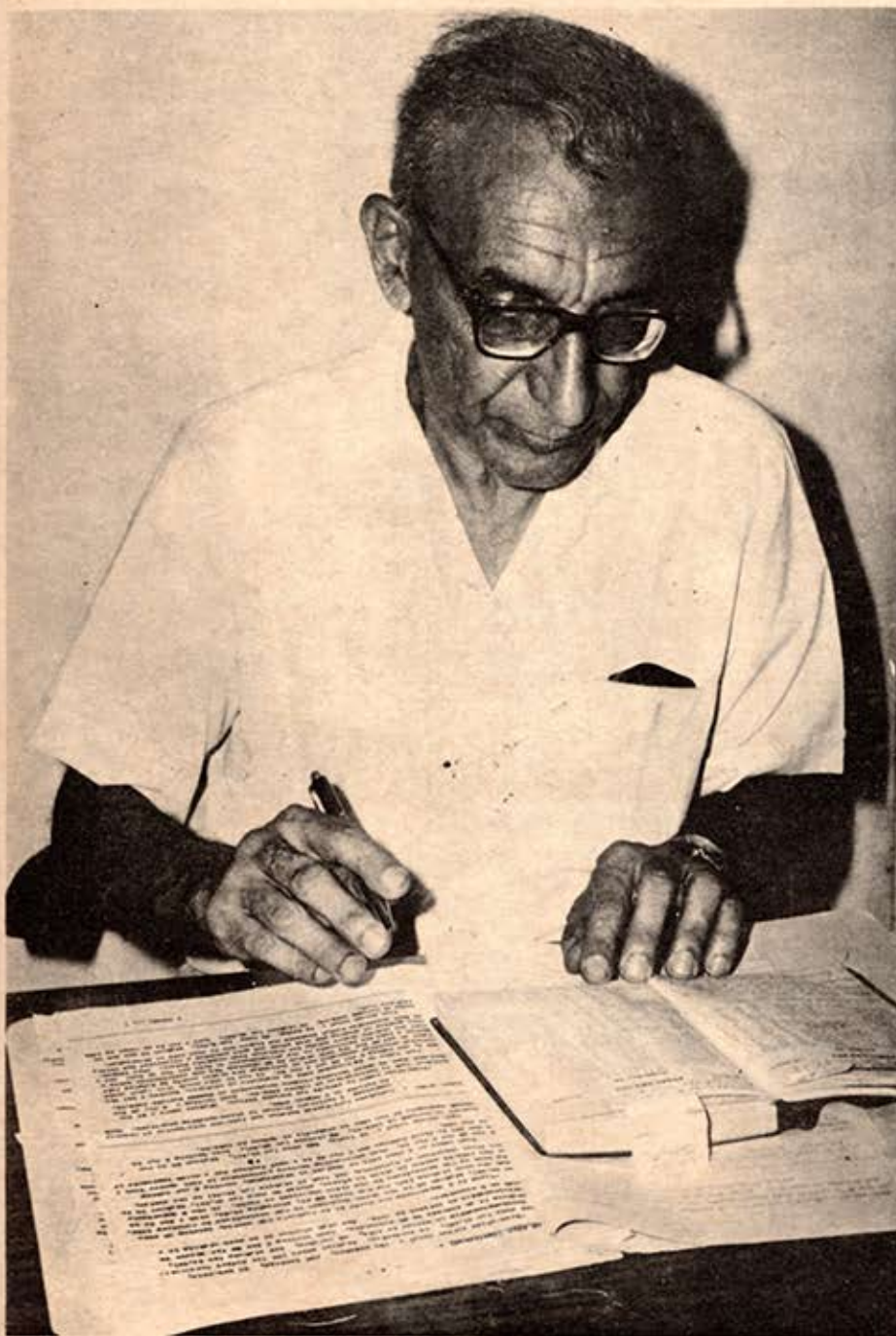
OLGA VALLADARES

(Bombay the Way it Was, The Evening News of India, 1 May 1981)

The Vital Statistics of B.B. Mama

Behram Contractor

Mama: figuring up figures



He lives, breathes and eats statistics. When I met him, he was going through the papers, taking down in his diary the scores of the England-West Zone tie in Baroda. "They have not given England's batting and West Zone's bowling in the second innings. These papers never give the full score-card," he grumbled. "I will have to go to *The Hindu* office. It is the only paper which has the full card."

B. B. Mama, the distinguished cricket statistician has been the official statistician for Doordarshan since the first live coverage in 1972.

And what was his job as a statistician? "Feed statistics to the commentators as and when required. Also, point out statistical milestones or unusual or interesting statistics relevant to the day." For example "When Boycott

People are wrong when they say that statisticians do not know the finer points of the game.

comes in to bat, as he is walking to the wicket, we show on the screen his batting figures, his averages. Or when Kapil Dev bowls his first over of the match, on the screen his career bowling analyses are shown. These have to be prepared in advance and photographed."

Mama says that he does not like to give statistics for the sake of giving them. People are wrong when they say that statisticians do not know the finer points of the game and are only interested in overloading the commentators with figures. He gives figures only when they are relevant.

He says: "Even newspaper correspondents think that to us cricket means nothing more than figures. It is a sore point with me. AFST, the other day, after writing a fine column, ended with a snide remark at statisticians. For myself, I can say that I don't blindly feed figures. Commentators are apt to get irritated if anything irrelevant is given to them."

Mama has been compiling statistics for the last 20 years. His interest in cricket began when he saw his first Test. That was in 1948, against the West Indies, when they bowled one ball short and there were three minutes to go and the Indian last pair in and six runs required to win. Anybody who saw that Test could have fallen in love with cricket.

England lose to Parsis

M.D. David

Since then Mama's interest in cricket and statistics has grown. He resides in Panchgani, where he works as a stores manager for a hospital. The hospital has given him a house and its drawing-room is filled with cricket books.

Once, on a holiday in Panchgani, I paid him a visit. He took me up to his work room, the shelves filled with registers in which he maintains the scores of all Test players of all times all over the world, the entries made in a neat little hand in pencil (so that they may be erased at the end of a series, the averages up-dated and fresh entries made).

Anybody who saw that Test could have fallen in love with cricket.

Besides, there were cricket books, a desk piled with papers, cricket books in cases, an armchair, a large old-fashioned Murphy radio. I could visualise him, sitting through the nights in the quiet mountain fastness of Panchgani and listening to well trained BBC voices giving commentaries, scores, from English cricket grounds.

To the Murphy radio, he has now added a four-band, two-in-one National Panasonic, so that he can tape the score cards and then enter them in his registers.

He told me: "Mostly I work in the nights, at least two hours a night during a Test series. It involves a lot of laborious paper work and nights are favoured because they allow complete concentration, lack of distraction. Because, if an error is made, it is difficult to trace it later.

"I purchase a lot of statistical reference books, other cricket books, magazines, I don't destroy anything. You never know when something may come in useful. These days, the prices of books have gone up considerably and I cannot afford the general cricket books anymore, so I borrow them. I can't afford the statistical literature also, but I buy it. Here the price rise makes no difference."

And, when not compiling statistics, Mama listens to cricket on the radio, the reception coming loud and clear in the fine mountain air. "I remember, when Pakistan were playing in the West Indies, I used to listen to the commentary beamed to Radio Pakistan from nine in the night to four the next morning. It was a very interesting series and I do not think I slept throughout that series."

The other thing that Mama does is correspond with other statisticians, especially the English statisticians. They exchange notes, send queries to one another to up-date their own statistics. "Invariably they have been able to help me, sometimes I have not been able to help them," he says modestly.

A recent query that he has not been able to track down came to him from *Cricket Statistician*, a British publication and the official journal of the Association of Cricket Statisticians. They wanted the score-card of a Ranji Trophy match played between Services and Jammu and Kashmir in Srinagar in October 1964.

Mama searched all the Indian papers and could not find the details. He checked the official score-cards published by the Indian cricket board for its jubilee celebrations and he could not find it there. Anandji Dossa told him: "The score-card is evidently lost." So that is that. Some times, Mama has pointed out errors in statistics to the rest of the world or at least the cricket-playing world. *The Wisden Cricket Monthly* had some time back brought to the notice of the cricket world that Chetan Chauhan was the only player in Test history to have completed 2,000 runs without scoring a century. Mama corrected. Trevor Goddard of South Africa had also accomplished that feat. However, after he had finished his total of 2,000 runs, in that same innings, he had gone on to complete a century. But he had reached the 2,000 before his first 100.

He maintains the scores of all Test players of all times all over the world.

What milestones was he expecting in the Bombay Test last December? "Botham requires 23 runs to complete his double of 2,000 runs and 200 wickets," states Mama. "Only two others have achieved this in Test cricket, Benaud and, of course, Sobers. Another milestone will be 100 dismissals by Taylor, the English wicket-keeper. He is two short. There are two other persons on the brink of milestones, but now there is no point as they are not in the team—Yashpal Sharma and Ghavri. Yashpal has 831 runs to his credit, Ghavri 913."

As Mama notes: "Cricket statistics are like vegetables, they go stale immediately."

Courtesy: MID-DAY, November 27, 1981.

Ninety-one years ago the first ever English cricket team led by G.F. Vernon came to Bombay to play against the Parsi team. This struggle for the championship of India, was eagerly watched by a crowd of over 10,000.

So intense was the enthusiasm that everybody forsook their business for the day in order to witness the match. Though the Parsis were short by 17 runs in the first innings, they ultimately won by four wickets.

The Parsis were the pioneers of Indian cricket and Bombay was the home of the game despite a Cricket Club meant for Europeans established in Calcutta in 1792.

Under-arm bowling

It was mainly due to the influence of military officers of the Marine Battalion stationed at Bombay that the Parsis took to the game. They grew so fond of it that they set up the Oriental Cricket Club in 1848, this being the first Indian Cricket Club. Two years later, it was replaced by the Zoroastrian Cricket Club.

In those days, bowling was under-arm; Navloo Mama and M.M. Poonenar were the first exponents of the earliest round-arm bowling in Bombay that began in 1867. Any part of turf served as the pitch.

The Oval Maidan was the Parsis' favourite venue. But one day a police officer's wife was accidentally injured while she was crossing the maidan. That was enough for the police to drive the Parsis away. They then moved to the Esplanade Maidan.

Soon Bombay took cricket to its heart and four major Gymkhanas - the Bombay, Hindu, Parsi and Islam were born. Bombay Gymkhana, mainly meant for European residents, was set up in 1875. The Hindu Gymkhana started as the Hindu Cricket Club in



Gagrati - scoring the first Parsi century.



The first English cricket team on Bombay's greens.

1866 with a monthly membership fee of two annas.

Ramachandra Vishram Navlekar was the first Hindu to play cricket, as early as 1861. The Parsi and Islam Gymkhanas started in 1888 and 1892 respectively, with a view to taking the game to the communities.

The Parsi Cricket Club organised the first major match in Bombay against the Bombay Gymkhana in 1877. They lost. Next year they toured India and played matches at Lahore and other towns.

To encourage the Parsis the Chief Justice of Bombay and the Governor Sir Joseph Arnould and Lord Harris respectively played cricket with them.

The British Press eulogised the nice manners of the Parsis but said nothing about their poor performance.

Lost matches

To further their cricketing skills, a Parsi team (incidentally, the first Indian team) visited, England in 1886. The British Press eulogised the nice manners of the Parsis but said nothing about their poor performance.

Undaunted, the Parsis paid a second visit two years later and played 31 matches. Of them, they won eight, lost 11 and drew 12. Their star performers were R.D. Cooper who scored 952 runs and M.E. Pavri who took 170 wickets for 1983 runs. It was in response to these visits that Vernon's team came to Bombay.

Soon, the Parsi and European inhabitants of Poona opened the Poona Gymkhana. The match between the Parsi Club, Bombay, and the Poona Gymkhana in 1891 saw B.D. Gagrati of Parsi Club becoming the first Parsi to score a century with 108 runs not out.

It is a pity that Bombay cricket, or for that matter Indian cricket developed on communal lines. Regular matches were arranged between the Parsis and the English teams from 1895. With the growing popularity of the game, Bombay Triangular matches began in 1907 when the Hindus joined. Quadrangular matches started when the Muslim team joined the fray in 1912. 24 years later, a "Rest of India team" entered to make it a pentangular affair.

The Daily, 1, December 1981. Dr M.D. David Professor of History at Wilson College, writes a regular column on the history of Bombay for the *Daily* newspaper, magazine section. Reprinted with the author's permission.

A Historical Monument

K. T. Pandit

Before 1947, the entire building where the Handloom House is located at present, was occupied by Evans Fraser & Company Limited, one of the few leading British departmental stores selling imported readymade dress materials of a high quality.

The history of this building known even today as Fort House, is interesting because it was built for residential purposes by Sir Jamsetjee Jejeebhoy, the first Indian knight and baronet.

By his lofty business integrity, Jamsetji put the name of the Bombay merchant on the world map.

According to his biographer Mr. Jehangir R.D. Mody, "the housewarming ceremony of Jamsetjee's Fort House — the building at present occupied by Evans Fraser & Company Limited, was performed on June 3, 1834. The occasion was celebrated with great eclat. A continual stream of carriages was seen arriving at Hornby Road. The Earl and Countess of Clare accompanied by top civil and military dignitaries attended a banquet along with a large number of prominent persons and for days the people crowded the street to admire this fine mansion."

Banquets given on various important occasions by Jamsetjee were as famous as his large hearted and far-reaching charities and even English aristocrats considered it an honour to respond to Jamsetjee's invitation. All such banquets were held either at his Mazgaon Castle, Fort House or his Mahalaxmi residence. Two such banquets given by him at Fort House "were remembered even after a lapse of a century or more." One was given on February 5, 1835, in honour of the then departing Governor of Bombay, the Earl of Clare and the other was held on March 5, 1840 in honour of Queen Victoria's marriage to Prince Albert.

It was in this historic Fort House, that Jamsetjee passed away at two a.m. in the early hours on April 15, 1859. "The news of his death spread like wildfire and before the day was old, floods of men came pouring into Hornby Road. The whole city suspended its normal activities. Banks, schools, colleges, government and private offices were closed. Lord Elphinstone came to the Fort House to pay his last respects to the greatest Indian of his age. Flags flew at half mast on Government House. Lord Elphinstone offered to give Jamsetjee a military funeral — a battalion of troops with a military band — but this honour was respectfully declined due to the tenets of the Parsi religion.

It has been admitted on all counts that Jamsetjee Jejeebhoy was the standard bearer of far-reaching catholic charities, which helped every deserving cause unstintingly. He endowed the first civil hospital and medical college in Bombay, the first obstetric institution, the first art school, and built the first causeway, Wells, bridges, dharmasha-



Sir Jamsetjee Jejeebhoy

las, panjrapoles, water works and schools sprang up by the open sesame his largehearted munificence. Further, by his lofty business integrity, Jamshedji put the name of the Bombay merchant on the world map.

In view of this, the Fort House on Dadabhoy Naoroji Road (formerly Hornby Road) cannot be referred to as just any other building. It has great historical significance because Sir Jamsetjee Jejeebhoy, one of the most honoured figures in the commercial and public life of India in the nineteenth century, lived and died at this place.

Courtesy: MID-DAY, 26 October 1981

Fort House: built for residential purposes.



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