

# PREFACE TO THE FIRST EDITION

## I

It was 1993 autumn. I was on my way to Krishna Nagar from Kolkata to hold my camp as the Commissioner of Income-tax of that area. My wife had accompanied me. On our way, we passed through a village of weavers. We found a number of them at work on the loom. Observing what they did in rhythm, my wife intoned Kabir's *jhini jhini bini chadariya, jhini re jhini*. We couldn't restrain our curiosity. We went inside a cottage to see how the weaving operation was being done. We saw a weaver at work on the loom. We saw how the fabric was being made through the interactions of the warp and weft threads. For quite some time, we observed him at work, and enjoyed the poetry he composed on the loom. We saw fascinating patterns emerging on the loom. We watched the weaving operations that he conducted with yarns of variegated colours. Myriad patterns were being created. After spending a while observing his creativity, we went to Mayapur to stay for two days at the guest house of the International Society for Krishna Consciousness. After the *darshan* of Radha-Madhava, we sat on the bank of the Ganges. My mind travelled back to the loom, whilst my eyes counted the waves of the Holy Ganges. I asked my wife to sing again *jhini jhini bini chadariya, jhini re jhini*. The weaver prepares a chaddar on the loom. Kabirdas was born in the family of weavers. He says he made his life's chaddar, he wore it all his life, but he kept it unsullied till his last moment of his life. The imagery of 'the weaver on the loom' has become for me a metaphor that I have enjoyed at various levels: the loom on which the individuals are at work; the loom on which destiny shapes human history, the loom on which the Creator Himself weaves, and unweaves, the ever changing patterns of events. My mind sailed into the past touching several shores, near and distant. But the imagery of the 'loom of time' yielded its richness with deep intensity when I chanced to go through Goethe's *Faust* where the poet expressed felicitously how life itself is the process of working on the loom of Time. I decided to call my autobiographical memoir 'On the Loom of Time'. Salutation to thee, O Time (कालाये तस्मै नमः).

Sometime in 2001, I was on the sick-bed at the Escorts Heart Hospital, New Delhi, for some interventional cardiac treatment. My mind turned into a chrysalis of thoughts on my sick-bed. The past had come alive. The imageries of my Krishna Nagar visit unfolded their infinite beauty, and enormous wealth of meaning and suggestions. The imagery of the fabric being made on the loom made me reflect on my life and the world I had seen. Yarn and skein come from my actions and thoughts, and also from the actions and thoughts of all others.

## II

While writing this autobiographical Memoir, I have no narcissistic interest in self, nor have I any agenda of self-justification, or self-glorification. Such stuff, I know, can obviously be of no interest to others. This autobiographical Memoir presents the world in which I have acted and thought. The facts of the realm that it explores become metaphors which I have tried to explore. I had suffered with joy the euphoria of our Struggle for Independence, and have suffered with pangs witnessing the ruin of our great vision for which we had made great sacrifices during our Struggle for Freedom. Like the art and craft of the artist on the loom, my Memoir would focus often on myself as the *karta* (an acting agent), but most often, on the *karma* (action) for which I hold myself responsible. I have tried to interpret, with utmost good faith, the metaphors of events with which my life, and the life of our nation, abound.

## III

I deem myself under an infinite gratitude to my parents. Like Michelangelo, my father carved and chiselled me from a marble rock; and like Krishna, my mother sang through my life music, a few tunes of which you would listen to in this autobiography. It was my joint Hindu family which helped my limestone to get metamorphosed into marble. My wife, Veena, has acted in my life playing her roles from a catalytic agent to an inspiring and creative force. I wouldn't have lived my years rich with thoughts and actions unless she would have acted as Sita had done in Sri Rama's life. In the *Adhyatma Ramayan* Sita assesses her role in the life of Sri Rama in words of great beauty and accuracy: "Though all the acts that the Lord has done from his advent to becoming the King were done by me, people say they were done by Him alone." My wife can assess her role in my life in precisely the same words. I gratefully acknowledge great debt to my teachers from whom I have learnt the grammar of life of which the most valued maxim is what Krishna said: "स्वल्पमप्यस्य धर्मस्य त्रायते महतो भयात्" ('Even some small endeavour on the path of righteousness saves one from the dreadful ruin').

In writing this book, I have drawn on the works of a number of distinguished writers, to mention a few: Jawaharlal Nehru, Noam Chomsky, Joseph Stiglitz, J. K. Galbraith, Peter Watson, Ramdhari Singh 'Dinkar', Bertrand Russell, Arnold Toynbee, H.M. Seervai and Kiran Tandon. I have drawn on their writings liberally as they had showed great insight into the problems on which this humble self has reflected over half a century. Two lines from the *Ramcharitmanas* of Tulsidas come to mind to express my feelings of gratefulness to all such writers: 'the great amongst the humans build bridges on yawning rivers, but the bridges facilitate tiny ants to go across the river'. My father had once instructed me to function as a bee collecting nectar from many flowers to produce honey. A little of that habit persists all through my life, as you will see in this autobiographical Memoir.

I am grateful to Shri R. C. Lahoti, former Chief Justice of India, for his illuminating '*A Reflection in brief*' that constitutes the 'Foreword' of this autobiographical Memoir. His every word is precious for me. His reflections bring out valuable ideas, and show deep insight into the points he has touched. I deem it my great luck and privilege to receive from him appreciation for whatever a little I

could do. I express my gratefulness for Shri Shanti Bhushan, Sr. Advocate of the Supreme Court of India, and a former Minister of Law for the Republic of India, who has written the words of 'Appreciation' for this work. He could do this despite his very busy schedule of work at the courts, and his involvement in the national public upsurge against corruption. I must express my gratefulness to Shri Rajindar Sachar, former Chief Justice of Delhi High Court; Prof. Noam Chomsky of the Massachusetts Institute of Technology; and Prof. John Carry Sims of the McGeorge School of Law for their profoundly perceptive comments. I am grateful to Dr. Justice G.C. Bharuka, who has written an enlightening "Observations" on this book highlighting certain issues of great contemporary importance. I am profoundly indebted to Professor M. L. Upadhyaya who went through the text, and ventured his comments on the work. I am thankful to Dr. Zafar Mahmood who went through parts of the text, and came out with his insightful assessment. I must thank Shri Shailendra Kumar, Managing Editor of taxindiaonline.com, who has written a comprehensive critique of this work focussing on its perspective, and important points highlighting their relevance to the problems we are facing in various areas of governance. I must admit that there are many others to whom my debt is heavy. I am grateful to them all.

I must bless my youngest daughter Anju Jha Choudhary, Advocate, who had helped me in conducting research for arguing several matters before the Delhi High Court and the Supreme Court. The knowledge that I acquired in that process has helped me write a lot of things in this Memoir. She helped me correcting the text of this Memoir, though I treat myself alone responsible for all its blemishes. I must bless Kishori Jha, my second daughter, who has drawn up the cover design, and settled the structure of the book so aesthetically satisfying. I would be failing in my duty if I do not express my gratitude to the Publishers who have put in hard labour, and have shown excellence in publishing this book.

#### IV

After writing my autobiographical Memoir, I could go through the reasoned Order passed, on July 4, 2011, by our Supreme Court (*coram*: B. Sudershan Reddy and Surinder Singh Nijjar JJ.) in *Ram Jethmalani & Ors. v. Union of India & Ors.*, popularly known as *the Black Money* case. The reasons given by the Court provide us a sound perspective to comprehend our Constitution, and the role of the State in the governance of our country. It spells out the worldview that I wholly share. It is a masterly exposition of the ills that beset the present-day neo-liberal view of polity and governance. I consider this *Black Money* case as one of the most important Supreme Court decisions in recent times. As many of my premises have found implied approval in this Order, I have appended a short Postscript to this autobiographical Memoir\*. I have expressed in the Post-PostScript of this book my gratefulness to Anna Hazare for the great work he has done for our nation.

**Shiva Kant Jha**

New Delhi  
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\*The matter of the postscript stands incorporated to Chapter 28 of this Memoir (Second Edition).