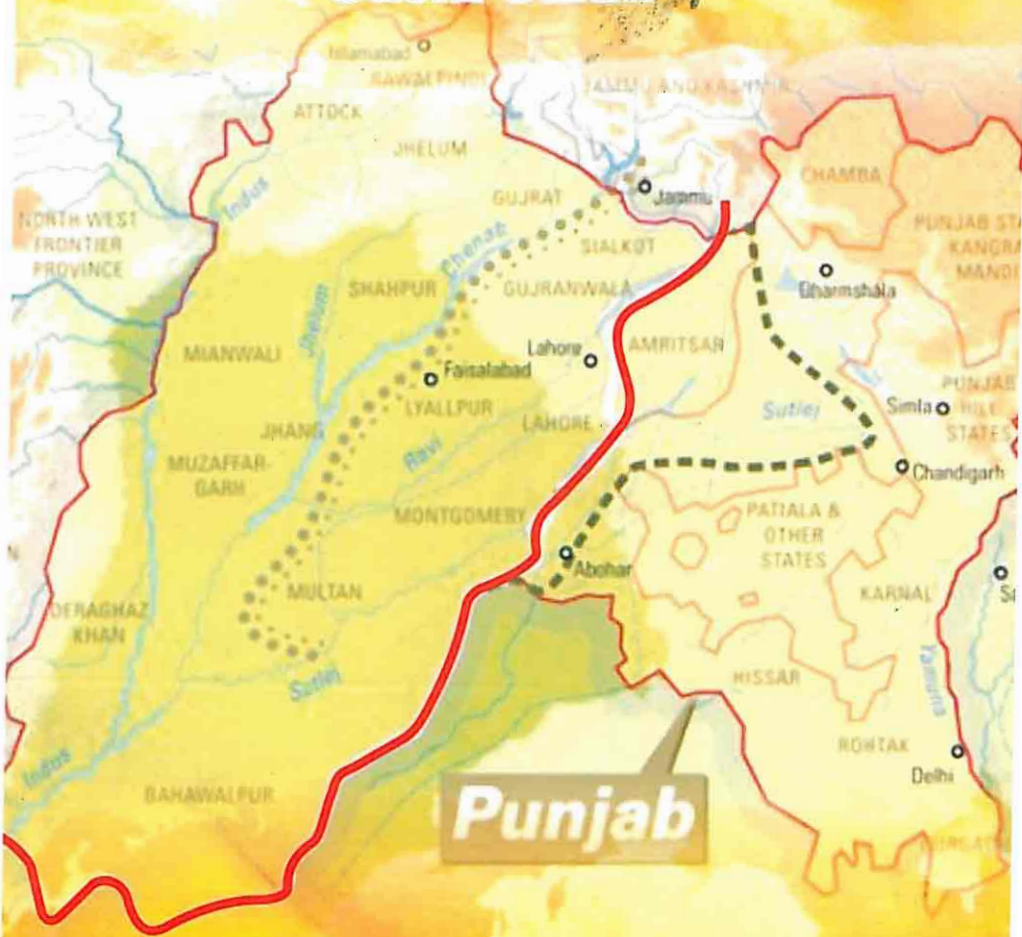


# The True Story

The State of the Sikhs before  
and after partition

**Sachi Sakhi**



**Sirdar Kapur Singh**

Foreword by : Dr. Ganda Singh

The True Story  
The State of the Sikhs before  
and after partition

(SACHI SAKHI)



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Sirdar Kapur Singh  
I.C.S., MP, MLA (Formerly)

Forwarded by :  
Dr. Ganda Singh  
MA, PhD, DLitt



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The True Story  
The State of the Sikhs before and after partition  
English Translation of the Book

## SACHI SAKHI

by  
Kapur Singh (I.C.S.)

Translated by  
Satjit Wadhva

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*Dedicated to:*  
Khalsa Akal Purakh ki Fauj  
— Guru Gobind Singh

*Santan ki sunn sachi sakhi  
So boleh jo pekheh aakhi.*

— *Ramkali V, 25. 36 (GGS)*

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## Foreword

Dr Ganda Singh, MA, PhD, DLitt

Sirdar Kapur Singh, initially, wrote this article "Communal Award" of Sachi Sakhi on my request in 1962, to be included in the 'Bhai Jodh Singh Memorial Volume'. But its size was ten times bigger than what we had expected, so it could not be published in it. However, this was a valuable article. For one, it has covered many historical events in great detail, which had not appeared as eye-witness accounts in any publication prior to this, and secondly, the dust, settled on it because of the political propaganda, had been cleared by the time Sachi Sakhi came up and it got an opportunity to come to light. Therefore, it was decided to publish this article as a separate book which has been completed now after ten years.

This narrative is not only the story of the Communal Award made by the British Government to solve the political problem of India, but also throws light on the background of the tension between the various religious sects of India and their different demands. It also hints at the fire of hatred spread by a fanatic sect of Muslims against non-Muslims in North India, which was the main cause behind the string of sacrifices from Guru Arjan Dev ji to Guru Gobind Singh and his four sons, which later became the foundation of the political struggles between the Sikhs and the Muslims.

On the other hand, the Hindus who lived under the illusion of their superiority were full of hatred for the Muslims and had no good will for them, which led to extreme distrust of each other and it was impossible for them to co-exist. Muslims believed that the Hindu

majority wanted to gradually suppress Islamic character and finally destroy it since they are mortally afraid of their separate identity. This view was validated by the highly provocative speeches of leaders of the Hindu Maha Sabha and the Hindu Rashtriya Swayam Sevak Sangh, and the terrorising and frightening activities of their members and communal riots. In the Indian National Congress also, majority of the top leadership was in the hands of the Hindus only, and the Sikhs were, by and large, towing the line of the Hindus. The Congress leaders had not been able to fully convince the Muslims about their political rights. That is why the leaders of Muslim League became adamant on the demand for a Muslim State in areas where the Muslims were in majority. Ultimately, the British Government was left with no option but to concede to their demand.

Apart from this, there was something else that was irking the Muslims internally. The money lenders were eating up the Muslim masses slowly and steadily. Day after day, their lands and houses were being taken from them against their loans. With the result the Muslims were becoming poorer and the money lenders were building huge mansions. What effect this had on the Muslim farmers can be gauged from a bit of conversation of two persons of the forest area, which I overheard in the market of Lyallpur. I forget the name of the shop which was a few shops away from Dr Fauja Singh's shop, where I was going when I heard just these two sentences spoken by these men standing in front of the mansion of a Hindu money lender.

One said, "Look at this, Noor Muhammad, how these money lenders have made such grand mansions!"

The other replied, "What are you saying? We will be living in these mansions! They are going to run away."

It is possible that they may have heard the Muslim lawyers talking about such matters or they had put two and two together or they may have heard speeches made by the League student leaders from the ramparts of the Islamia College and Government College Lahore.

The thought of organising Punjab, the border areas and Baluchistan into an Islamic State had first been presented to the Muslim League by Dr Sir Muhammad Iqbal in 1930 in his presidential speech, which was adopted by the Muslim League and the majority of Muslims as a definite goal, and the Qaid-e-Azam Muhammad Ali Jinnah had made it his life's crusade and remained determined about it till the end, and finally succeeded in getting it.

Before the Communal Award, in 1928, while describing the demonstrations held at the time of the Simon Commission's arrival in Lahore, Sirdar Kapur Singh has written eye-witness accounts. He has stated it very clearly that on the 31st October, 1928, the allegation that during the lathicharge, Mr Scot hit Lala Lajpat Rai is wrong. He was not even present on the scene, and was standing far away at the Railway Station. It was the DIG Police, Mr Hamilton Hardinge, who had a cane stick in his hand, which he had swirled in the air and it had hit the umbrella held over Lala Lajpat Rai's head. No policeman so much as even lifted a stick (lathi). But this was blown out of proportion and was called a lathi charge, and Lala Lajpat Rai's death was said to have been caused by the lathis of the police. Actually, Lala Lajpat Rai died of cardiac arrest on the 17th November.

It will not be inappropriate to mention here that many a times the British were blamed for no fault of theirs. Thinking coolly and dispassionately, one has to admit the truth that the British are temperamentally not

oppressive and nor are they liars, sly and deceitful. At the personal level, the British are more honest, straightforward and trustworthy than many other communities of the world. But, because Mr Scot was in-charge of the police on 31st October at the time of the procession, so there was intense propaganda against him. Then, Sardar Bhagat Singh or his companion mistook Mr Sanders for Mr Scot and killed him. It is commonly believed that Mr Sanders died because of the companion's shot but Bhagat Singh took the blame on himself and was hanged to death. Bhagat Singh regretted that he could not take amrit before dying, which was his last wish as he had expressed it to Bhai Randhir Singh who was to be released from the Lahore Jail soon.

At the time of the Round Table Conference held in November 1930, Maharaja Bhupinder Singh of Patiala had a keen desire to serve the Sikhs in the fast-changing atmosphere of the country, and he would have perhaps done something because of his political authority and his good relations with the British Government, but Master Tara Singh could not tolerate his glory, and the British Government was not prepared to invite Master Tara Singh to attend the conference. That is how a great opportunity was lost. Similarly, at the time of the Second Round Table Conference also, nothing for the future was planned.

When the Communal Award was declared by the British Prime Minister, Mr Ramsay McDonald on 16th August 1932, the Muslims accepted it though unwillingly. Mahatma Gandhi, with his weapon of fast unto death, got the Harijans included as an integral part of the Hindu community. And he adhered to the wise policy to accept whatever was being given. At the same time, while he allowed one party to keep giving threats he did not let the other party close doors on talks. But, the hot-blooded

Akali party did nothing more than hollow boasting and sloganeering. They spent all their energy on condemning and weakening the sensible Sikh statesmen who could have achieved something substantial. This is such a heart-rending tale that has been repeated many times in the last fifty years again and again, and the Sikh leaders have failed to live up to their word even after praying and promising in the presence of the Guru and the sangat.

In Sachi Sakhi, Sirdar Kapur Singh has unveiled the hidden mystery that if the Sikh leaders had made some sacrifice against the Communal Award, Punjab would have been spared of its repercussions, and in the fresh negotiations the geographical and historical map of Punjab would have been very different.

Later, at the time of the Cabinet Mission and the partition of India, the Britishers and Mr Jinnah were ready to strike a deal with the Sikh leaders. And, it is quite possible that out of these talks some solution could have come up which could be acceptable to the Hindus, Sikhs and Muslims. And countless lives of Hindus, Sikhs and Muslims could have been saved, and the Sikhs would not have lost their properties worth billions of rupees, and they would not have become homeless refugees and the entire political situation would not have gone totally out of hand.

Unfortunately, in this situation of political turmoil, the Sikh leaders failed to come together and present a united front, which was essential for a minority community, and in the absence of which neither the Hindus nor the Muslims trusted them. Hindus felt that the Sikhs may join the Muslims and make their demand carry more weight, so, they kept giving them false hopes and showing them greener pastures so that they don't talk directly and plainly to the Muslims. Muslims, on the other



hand, believed that the Sikhs would go along with the Hindus, so they did not want to talk plainly and get bound by their words. Had the Sikhs convinced the Muslims that they wanted to live as an independent and non-aligned nation, the Muslims would not have felt so threatened by them.

The naive Sikhs believed that the Congress would, more or less, fulfill its promises made to them. They forgot that politicians are not bound to abide by any single rule, ideal or promise. Politics, by definition, means poly (many), catering to the majority. Politicians always keep their options open and make use of as many props as they can to achieve their objectives. This is exactly what the Hindu politicians did. They made all kinds of false promises and deluded the Sikhs by reminding them of their old wounds inflicted by the Muslims, only as a measure to mark time. They succeeded in their shrewd manoeuvres to the extent that the Sikhs themselves declined to make the demand for an independent state. And, when the turmoil was over, after getting Independence, they started changing the interpretations of the promises in the name of democratic republic, and then the promises were totally forgotten.

The Akali leader, Master Tara Singh, was pleased with just the gesture that one of his beneficiaries, Sardar Baldev Singh, was appointed the Defence Minister in the Union Council of Ministers. However, as time passed, he realised what had happened and started expressing his displeasure at it. But what is the point of crying over spilt milk? And, it has to be conceded that the trap in which he was caught was of his own making. Besides, a cage of gold is, after all, a cage, and no less strong to bind.

Actually, the idea of Punjabi Suba had sprung up immediately after Independence, in 1948. The Indian

National Congress had accepted the linguistic criterion for the reorganisation of the states long ago. In 1948, when the Assembly met to formulate the new Constitution of India, Bawa Harkishan Singh wrote a pamphlet *A Plea for A Punjabi-Speaking Province* and presented this aspect before the Assembly, but no one paid any attention to it, at that time. Instead, every time the issue was raised subsequently, the Arya Samajis and Jansanghis of Punjab opposed it vehemently. They went to the extent of saying that Punjabi was not their mother tongue though they would speak only Punjabi from morning till night and have been speaking Punjabi for generations and not only at home with their relatives but out in the market or place of work, they have never been heard to speak any other language, yet they denied that Punjabi was their mother tongue. Perhaps, this is a singular example in the history of the world that a whole community told such a blatant lie so unabashedly as the so-called religious community of Arya Samajis did in relation to their mother tongue, inspired by some wayward persons who shouted from the roof tops, made verbal and written statements from stages and in newspapers to propagate this lie that Punjabi was not their mother tongue. Not only the Hindus but even the Harijans were hypnotised by this oft-repeated lie and were inspired to do the same.

This was such a blatant lie that was known to all the people of North India, irrespective of whether they were Hindus, Muslims, Harijans or Christians. So much so that one Muslim taunted a Sikh, "Brother! These are the people you trusted and you did not believe us. You have ruined your old house and they will never let you build a new one." This is the naked truth, if one can consider it coolly.

In fact, the protagonists of Arya Samaj and their

followers cannot tolerate the Sikhs having a separate religious identity from Hinduism. They will never allow them to succeed in maintaining a separate identity or have different aspirations and ambitions for their community. They don't want Sikhism to be more than an off-shoot of Hinduism, and don't want to see the Sikhs as anything more than their military wing so that gradually they get absorbed with the Hindus and their independent identity is destroyed for ever. This is a sinful thought which will ultimately destroy the sinner only.

Thus, the scholarly author has exposed many historical truths in *Sachi Sakhi*, which will be helpful in directing the thinkers and writers in the future. We are collectively grateful to him for this service and I welcome *Sachi Sakhi*.

**Ganda Singh**

Patiala

June 29, 1972.

# Introduction

As Dr Ganda Singh has said in the 'Foreword', the main article "Communal Award" of this book, meant to be a chapter in another book, was written in 1960. It could not be published in that book in 1962 because it was too long and its subject matter deserved to be in an independent book, and it was not proper that it should be appended with other articles.

Thus, this article "Communal Award" kept lying here and there for many years waiting for the appropriate time. Finally, in 1968, it appeared that circumstances were right for it to get published.

I approached Dr Ganda Singh seeking verification of my historical analysis about (1) the Sikhs' conflict with the Mughal empire in the seventeenth and eighteenth centuries, which was a superficial, accidental event but a deep-rooted historical conflict based on fundamental, spiritual and social principles, (2) Sheikh Mujaddid Sirhindi was the General of the Islamic army, who himself, and his successors tortured and killed the fifth Guru, Guru Arjan Dev ji, made attempts to kill Guru Hargobind ji and imprisoned him, tried to do away with Guru Harkrishan Sahib, beheaded Guru Tegh Bahadur ji, got the young Sahibzadas bricked alive in a wall, gave the royal orders to stab the tenth master, ordered massacre of the Sikhs, killed Banda Singh Bahadur and his associates in Delhi, and became the architects of the great holocaust, and in the nineteenth century took up a crusade against the Sikhs under the leadership of Ahmadshah Barelvi. These ideological interests became the origin and roots of "Communal Award" and the establishment of Pakistan, which could not be recognised during the last three-and-

half centuries or so.

The third point (3) that I highlighted in my article "Communal Award" was the metaphysical foundation of the grammar and language, the postulates and various cultural conditionings that may not be rationalised, but without accepting and understanding which, we cannot comprehend or study a language and its grammar. These postulates are the desires of the human heart, out of which sentence structures and grammar take birth and grow. Case, gender, noun, feminine, masculine and other aspects of grammar are rooted in these postulates. In a Sanskrit book *Vakpadiy (Brahmand 16)* it is said that, "Grammar is the first rung of the ladder to attain moksha and it is like the mall road for the seekers of nirvana." The secret is that the postulates of the language can be helpful in understanding the elements of the human mind and attaining spiritual wisdom. Thus viewed, can we understand the historical facts properly, by grammatically dissecting the term 'communal Award', that are the cause of the "Communal Award" and what happened before and after it?

I did not expect Dr Ganda Singh ji, the premier of a special class of historians, to verify the third point, but the first point (1) he accepted. He questioned the second (2) point, saying that unless you can find a hand-written document by Mujaddid, giving orders for Guru Arjan Dev ji's martyrdom, it is difficult to accept the second point. He had told me this in 1960 and I had told him that I trusted my memory that such martyrdom is recorded in Mujaddid's own writings "Maktubat Amami Rabbani". However, I was in Simla at that time and down with fever, so I could not look for the original documents.

Dr Ganda Singh traced the evidence on his own soon after. It is like this:



"During these days the wayward kafir of Goindwal has been killed. This is a good thing and it is a big defeat to the Hindus. Killing him for whatever reason on whatever pretext is a great loss to the Hindus, and is a great victory for the Muslims. Before this I had a dream that the Emperor (Jehangir) had crushed the head of non-believers. There is no doubt that he (Guru Arjan) was the world-leader of the non-believer Hindus and the emperor of the athiests..." etc.

Thus when I got confirmation from a historian of Dr Ganda Singh's calibre, I started working on giving the final shape to my book *Sachi Sakhi*, because of which the book is now in your hands.

In this book, the article "Communal Award" comes first followed by a number of annextures, the details of which are:

Annexure I is the written statement that I made in 1950 in response to the Departmental Enquiry, in which about eight to ten charges had been levied on me, and I was cosequently dismissed from the prestigious and permanent ICS by sheer grit, in utter disregard of law or legal procedures. Even a peon cannot be removed from service in such an unabashed and shameless manner. The office and structure of ICS is such that once the Secretary of State for India had remarked in the British Parliament, "It is easier to dethrone the Maharajas in India, but it is almost impossible to remove an ICS officer from his post."

It is important to observe that the facts that have been narrated in the written statement, have neither been denied nor refuted during the Departmental Enquiry at any time by any authority, from the Department to the Supreme Court, nor have they tried to prove them false in any manner. Legally, and in reality, it means that these

facts and these incidents have been acknowledged by the Government exactly as they have been stated.

To understand the analysis and elucidation of the "Communal Award" which is done in this book, and to verify its actual and factual authenticity, this Annexure has acquired the status of a valuable document.

The background of this Departmental Enquiry goes back to the time of the Partition. In 1947, I was the Deputy Commissioner at Dharamsala in District Kangra. In November, 1947, I received information that my parents and other family members had safely come from Pakistan and have reached some place in Ludhiana. I took leave to look for them and take care of them. Coming down from the hills, I first stopped at Amritsar, and went to meet Master Tara Singh in his house. I have known Master Tara Singh from my student days and my relations with him have continued over the last twenty-five years. There I learnt that he was very sick, and his doctors told me that the only remedy was to take him far away from Amritsar, to a solitary place where good nutritious food and proper rest could nurse him back to health, where he would not have to hear tales of woe of the refugees day after day. Under these circumstances, on my return journey, I took Master ji with me in my car to Dharamsala, where he stayed with me for about a month and when he had recovered he returned to the plains.

During these days, with the permission of the Deputy Prime Minister, Sardar Patel, and the Prime Minister, Shri Nehru, the Governor of Punjab, Shri Chandu Lal Trivedi sent instructions, in an extremely undignified manner, to all the Deputy Commissioners of East (or Indian) Punjab, that all Deputy Commissioners should, with the direct approval of Sardar Swaran Singh, Home Minister of Punjab treat the Sikhs, especially those

who have come from Pakistan, and other Sikhs too, like criminals, and deal with them most severely by beating, looting and killing them, and this should be done at the official level, without any consideration of law, and done in such a harsh manner that members of the entire Sikh community come to their senses and realise, once and for all, who is the ruler and who are the ruled. At that time, in the entire East Punjab, there were only two Sikh Deputy Commissioners — I was one in Kangra and the other was in Gurgaon. There were not many Sikh inhabitants and not many refugees had come in both these districts. So, there was no other Deputy Commissioner who would have raised a voice against this, but I expressed my anger in strong words. I wrote an angry letter to Shri Trivedi that the people who call the Sikhs "criminals", "robbers" and "those who rape others' women", should know what picture would emerge of the character of their community if it is analysed, etc. I refused to obey this blatant Hindu chauvinistic order. It is a world-famous and widely-accepted principle that no Government can force the Government officials to obey an illegal or inhuman order. If something like this had happened during the British rule, they would have considered Governor Trivedi to be unfit of handling governmental matters, and would have punished him for trying to implement the wishes of his bosses in Delhi in such an undignified, 'crude' and clumsy manner. But, the persons in whose hands power had fallen, after a thousand years of slavery, behaved like the blind man who accidentally steps on a partridge, or had gained it through sheer cunning and intrigue, reacted to my letter by holding me guilty. They said that Kapur Singh is arrogant and guilty because he does not consider the Sikhs to be subjects of the majority community. These facts, which are recorded in Annexure

1, were the basic reason why Shri Nehru and Sardar Patel were only looking for an excuse to chastise me. Unfortunately, this file got lost when Sardar Swaran Singh became a Union Minister and moved to Delhi.

This circular of October, 1947, which declared all the Sikhs to be 'criminals', should not be taken as the personal endeavour of only Shri Chandu Lal Trivedi, Governor of Punjab. In 1954 or thereabouts, it is said that a similar royal decree was issued to the senior officers of the Indian Army, to the effect that Sikh army officers should be intimidated, as far as possible, and made to feel inferior and unconfident continuously. One Sikh army officer, Major Gian Singh, protested against it, and what happened to him is best described by him. Sardar Hukam Singh, as an Akali Member of Parliament, gave a Call Attention notice in the Lok Sabha. But, just then, by a stroke of good luck for Sardar Hukam Singh, he was made the Deputy Speaker and this Call Attention notice was left unattended.

That was all, which was blown out of proportion by some inimical Hindus and jealous Sikhs, who poisoned the minds of government officials right up to Pundit Nehru that Master Tara Singh and Kapur Singh are planning to revive the Sikh empire. They have established connections with China and Pakistan, England and the USA, and are amassing weapons in the hills, etc etc. Pundit Nehru was a highly intelligent man but not a competent administrator. How could he be, when he had spent all his life in launching agitations and movements and focusing his energy on grabbing political power? He shot a letter to Punjab Governor, Shri Chandu Lal Trivedi and Chief Minister, Dr Gopi Chand Bhargava saying, "Why is something not being done about this man?" The all-powerful Home Minister of India, Sardar Patel, also wrote

such letters.

I asked for these letters to be produced as evidence in the Departmental Enquiry against me, but my appeal was rejected, saying they were 'unnecessary'.

Have you ever heard of a small fish surviving the orders of an alligator to its subordinates to swallow it? Who can protect a child who is poisoned by his own mother? Under the British rule or any other just government, these four letters would have been enough to exonerate me from the worst charges levied against me. And, on the basis of these four letters, Nehru and Patel would have been liable to severe punishment for misusing their authority in any enlightened, vibrant democracy. But, the decline of the Congress and the rule of the Janata Government had not happened yet.

The incidents and facts narrated in Annexure 1, especially the efforts of Captain Ranjit Singh, Partap Singh Kairon, three ICS officers, Sachdeva, Shrinagesh and Bhide are instances of actually implementing the orders of Nehru and Patel only. They should also be seen as links in the chain which led to the Communal Award and ultimately led to the country being divided into pieces in 1947.

On April 12, 1949, I was staying in Simla on four months' leave. On that day, suddenly, a vote of no-confidence was passed against Dr Gopi Chand Bhargava in the Punjab Vidhan Sabha. April 13 was a holiday and on April 14th, the Bhargava ministry had to hand over power to the new council of ministers. Thus, the Bhargava Government had lost its authority by the evening of April 12, for all practical purposes.

On the night between April 13 and April 14, under the authority of the Bhargava Ministry, the order of my suspension, from my post of ICS, under the signature of



Shri Sachdeva, ICS, Chief Secretary, was given to me at 12.30 after midnight after waking me up. Under which law, which authority, considering what justice this was done, no one can tell. Except, perhaps, what could a poor Sikh expect in a country that belonged to the Hindu majority, ruled by the troika (Nehru, Patel and Trivedi)? That too, without levelling any charges, without any investigation and without considering any law of the land, so that the Prime Minister and Home Minister of the country should not think that their orders were not followed. This act was committed against a government officer of the highest category who belonged to the 'criminal' community of the Sikhs. Satyamev jayate!

An ICS officer cannot be suspended according to law, until a grave charge against him has not been proved. This has been accepted by the Supreme Court in many cases since. Nor has any ICS officer been suspended in this manner for the past hundred years. Nor has anyone been suspended till date, except me.

Ad hoc governments, like that of Dr Bhargava's, that came to power on 12th April, 1949, never take such bold steps, which they are incapable of advocating or fulfilling. This is a clear and proven law of administration, breaking which is the worst sin of any council of ministers. But the Mughal Emperor Bahadur Shah had issued this decree in 1710 that "Nanak prastan ra har kuja ki biyaband, ba-katl rasanand," which means, 'Wherever you see a Sikh, kill him there and then.' This Mughal decree was imposed on me. I had shouted the slogan of being a Sikh.

Suspension orders can never be passed on a Government Officer when he is on leave, until he is recalled from leave, and reinstated on his post. But these are matters of the law. Who can protect those unfortunates who have been pushed outside the periphery

of the law?

Passing suspension orders on Government officers on official leave and in the middle of the night is neither law nor tradition. But, law and tradition is for those who do not commit the gross crime of being faithful Sikhs.

Hindu secular rule had commenced by now, and there was no rule or law, religion, justice applicable on these self-proclaimed, headstrong, sovereign, newly-born rulers. These are the people who are not ashamed of calling the Sikhs a "criminal community". *"Eh pandiya mohe dhed kabat hai."*

Thus, for one whole year, when I was hanging in the air, neither here nor there, I wrote a lengthy protest letter to the Government in Delhi, questioning: why I was being crucified against all norms and laws? Why is a decision not being taken?

Then the Government in Delhi, whose kingpins were Pundit Jawahar Lal Nehru and Sardar Patel, issued strong and standing orders to all State Governments that no ICS officer should be suspended without proper enquiry and without establishing the crime, because it is against the law and is injustice. But for me the order was that Punjab Government should investigate the charges levied on me through a Departmental Enquiry, but the order that has been passed should remain as it is.<sup>1</sup> This is the law of India for Sikhs like me. Thus, for more than four years, I was suspended by force and against the law, and the Indian Government usurped about two lakh rupees of my salary, and no court of law, not even the Supreme Court of India, granted me my right.

During this period only, the Indian Government had started proceedings against Master Tara Singh, after imposing charges of revolt against him. His defence counsel, the famous advocate CN Chatterjee came to

Simla. When I met him, he said, "Beware of the new "firangi" Chief Justice. He has been called to Punjab to squash your case. I know that before he was appointed in Punjab, he had written a letter to Sardar Patel from Calcutta, in which he had openly hinted that he, Eric Weston, is everready to serve the Indian Government as its bonded slave."

I heard this and was speechless. What else could I do?

The three prominent Sikh leaders, Sardar Hukam Singh, Sardar Dalip Singh Kang and Sardar Harcharan Singh Bajwa had also come to Simla in connection with the defence of Master Tara Singh. Shri CN Chatterjee told them, "Why are the Hindus of Punjab so narrow-minded and cheap? One High Court Judge, GD Khosla said to me: 'Why have you, being a Hindu, come to defend Master Tara Singh's case?. The Sikhs are very communal and dangerous. They are better dead.'" Later in the book, there is a detailed description of this Khosla.

When this newly appointed Chief Justice of Punjab was appointed as the Enquiry Officer against me, the Indian Government published an Extra-ordinary Constitutional Amendment in the Gazette of India, Saturday, 2nd September, 1950, under the authority of the Home Ministry. This Amendment and the certified true copy of the Gazette are recorded in Annexure X of this book.

This Gazette Notification needs to be looked at very carefully.

According to Clause 124 (3)<sup>2</sup> of India's law that the country's Constituent Assembly laid down in 1950, no foreigner, non-Indian can be appointed judge of the Supreme Court. Eric Weston, the British judge, who was called from Bengal to Punjab to teach me a lesson, could not be appointed a judge in the Supreme Court of India,

according to this clause. This, 2nd September, 1950 Extraordinary Notification made it possible to appoint a foreigner, Eric Weston, a judge of the Supreme Court of India.

In this manner, the appointment of a greedy and corrupt judge for the specific purpose of harrasing an innocent citizen in the beginning period of Independent India reminds one of a similar despicable situation in the 15th century of which Guru Nanak has written:

*Qazi hoye ke bahe niaye, phere tasbi kare khudaye.*

*Waddi lai ke hakk gavaye, je ko puchhe ta parh sunaye.*

It means:

He becomes the Qazi and passes the verdict.

Counts the beads of the rosary chanting Allah's name

Takes bribes and deprives the honest right of others

When questioned, he quotes the scriptures.

When Eric Weston was carrying out the Departmental Enquiry against me, and when he saw clearly that the official evidences against me were not proving any charge against me, he said to me in the open court, "They do not want to keep you in the ICS, that's all."

The charges that were slapped on me were concerning an amount of about ten thousand rupees, which the societies and associations had given me, to be spent to help the millions of refugees "in whichever manner as the Deputy Commissioner thinks best." And, this small amount had been spent for that purpose. The charge was not that the amount had been spent, but, as it became clear later on, the charge was that why receipts had not been taken from the refugees. "Because receipts were not taken, therefore, the legal meaning of it is that the Deputy Commissioner has misappropriated the

funds." There is no such law, but this is how it was concluded.

My explanation was that the clear instructions of the Punjab Government were that help must be provided to the refugees (1) without getting into the imbroglio of receipts etc. (2) Whatever amount that is required can be withdrawn from the state treasury without prior permissions, must be spent. (3) In other districts of Punjab, other Deputy Commissioners withdrew lakhs of rupees from the state treasury and spent on the refugees without taking receipts or permission. (4) I did not withdraw any amount from the state treasury. (5) This amount of about ten thousand rupees was distributed among the refugees, and every paisa can be accounted for, based on the statements of reliable witnesses. (6) And, it was not possible to take receipts from the refugees, because who would verify their names, residences and thus there would be no difference between a true or false receipt. And, the person who would ask for such receipts would get entangled in the snare himself. (7) I was not charged with the allegation that I did not take the receipts, but the allegation was that I had "misappropriated" the amount. To establish this allegation, the Government had to provide evidence, but no such evidence was provided. According to law, I cannot be held guilty until a new case is filed against me for not taking the receipts.

When this kind of my evidence was presented before the Departmental Enquiry, the Departmental Enquiry was deferred for some time, and again, after talking to Delhi, this British Chief Judge passed the order that he was not prepared to write or ask for any evidence on my explanation on items (1), (2) and (3). "S Kapur Singh can plead his case now or later."

The intention was clear that S Kapur Singh should

not be allowed to give evidence and get away, and at the same time, hold the carrot of appointing Eric Weston as a judge in the Supreme Court so that he may hang the "Evidence Act" on a peg but not let Kapur Singh go scot free. It needs to be observed that when Sardar Patel issued this ordinance, given in Annexure X, there was only one singular non-Indian Chief Judge in the whole of India, who was Eric Weston.

Thus, Weston reported against me that because S Kapur Singh has not taken receipts in the matters on which allegations have been made against him, therefore, he should be held guilty of "embezzlement of funds".

Accepting this 'report', the Nehru Government dismissed me from ICS without giving me pension etc, and entangled me for another six years making appeals in the High Court and the Supreme Court. Thus, their untiring endeavours of torturing me and ruining me for full twelve years bore fruit

When Mr Weston had submitted his 'report' against me, the Indian Government did not table the Ordinance through which Weston could become a Judge in the Supreme Court within six months, as it should have been done according to law, so it lapsed. However, to console Mr Weston, the Indian Government recommended his name for knighthood to the British Government, on account of the public service he rendered in Punjab as a Chief Judge for a year or so.

Thus, on the New Year's Day, the Queen of England bestowed the title of 'Sir' on Mr Weston. It must be remembered that out of the fifteen odd months that he was Chief Judge in Punjab, he spent one whole year investigating my case and holding a Departmental Enquiry against me; he hardly did anything as a Judge. His Departmental Enquiry was all the "public service" he had

rendered in his entire tenure.

At this stage, it would be appropriate for me to briefly mention what I went through by the kind courtesy of judges and lawyers, so that the reader can understand the facts and thoughts about the implementation or non-implementation of the Communal Award that I have presented in this book, *Sachi Sakhi*, as well as the basis on which the partition of the country was done, and the deep secrets beneath it and the conclusions and consequences of it, especially in relation to the Sikhs, that came out of it spontaneously, and continue to come out of it.

It is not possible to understand the mystery and realpolitik of the Communal Award until the reader understands what an unfortunate person like the author has to go through, who becomes a victim of State Wrath, and who relies on the support of courts and lawyers to get out of the trap of maltreatment that he is subjected to, and what hurdles he has to face.

In accordance with the law, the Nehru Government sent my case, to dismiss me from ICS, to the Union Public Service Commission for an 'opinion'. The law lays down that no senior public servant can be removed from his post without the permission of this Commission. In response, the Union Public Service Commission did not bother to look at the half-completed evidence patiently, and, in addition, it condoned the act which did not allow me to present my evidence, which I wanted to present and which is my legal right. It did not stop here only, but went to the extent of writing in its 'opinion' that "On perusing the previous file of S Kapur Singh, it seems this man is of a rigid temperament." In a way, the Union Public Service Commission quoted this fact to assert their argument of dismissing me from the ICS.

It is difficult for a lay man to understand this

achievement of the Union Public Service Commission's gross arrogance of 'Vikramaditya-justice', till the relevant facts and legal position is not described.

The story behind 'rigid temperament' and 'becoming rigid before the public' is like this:

In 1939-40, I was the Deputy Commissioner of Gujrat District (now in Pakistan). In that district, there was a small Gurdwara in the Ahla village of prominent Muslims, which had been built by a Sahajdhari Sikh of Ahla village against the wishes of the Muslim Chaudhris. Two Sahajdhari Hindu granthis (priests) had been murdered one after the other and thrown into the flowing river, and no clues about the murderers were traced. Consequently, this one-room Gurdwara, in the absence of a granthi, had shut down. Then a keshadhari (bearded) Sikh took over the task of the granthi, and within a week or ten days his corpse was recovered from the river. The official report was that no clues about the murderers could be found. This caused a furore among the Sikhs and two Nihangs of the Buddha Dal came to take care of the Gurdwara. The corpses of these two were also thrown into the river and the murderers remained untraceable. Then Shiromani Akali Dal, Amritsar took the matter in their hand and held a large gathering in Ahla village where thousands of Sikhs assembled in the procession. The kirtani jathas in this procession included the famous ragi jatha of Bhai Sunder Singh ji. This procession was attacked by the local Muslims instigated by a famous and powerful nawab, Sir Omar Hyatt Khan Tiwana. In this attack many Sikhs were killed and even Ragi Sunder Singh was martyred. Punjab was under the control of Unionist Muslim Nawabs and Khan Bahadurs, therefore, no appeals of the Sikhs were heard. This happened some time in 1940, when another daring Nihang Singh appeared to take care



of this Gurdwara. At that time I was appointed Deputy Commissioner of Gujrat and I took charge. A couple of days later the dead body of the Nihang was thrown into the canal, and the Gujrat officers did not even recover the body within the boundary of Gujrat District. They let it flow down to Sargodha District, from where it was recovered and burnt. I took personal interest in this case and got the case investigated, and got evidence that the murderers were two Muslims – one, the chaudhri of Ahla village and another the personal assistant of Sir Omar Hyatt Khan Tiwana. There was evidence of Sir Hyatt Khan's direct involvement in the murder. So, I gave the order to arrest the murderers and issued a warrant against him. At this point of time, Sir Omar Hyatt Khan came to me alongwith five-six of his attendants and personal servants. He said that he was being framed falsely in the case and that the Nihang Singh had jumped into the canal and drowned. I told the Nawab Sahib plainly and unhesitatingly that I was thinking of issuing a warrant in the case of murder against him, and if he does not leave the boundary of Gujrat within an hour, he will be arrested there. Hearing this, Nawab Sahib left for Delhi immediately and met the Viceroy to complain against me. Nawab Omar Hyatt had friendly relations with all British officers right up to London,<sup>3</sup> and he was considered a pillar of the British empire in India, and what to talk of the officers, even the Viceroys paid obeissance to him. The outcome of all this was that the Punjab Government transferred me out of Gujrat telegraphically and the case of the Nihang Singh was withdrawn. Nawab Sir Sikander Hyatt Khan was the Premier or Chief Minister of Punjab at that time and he wrote on my personal file that, "This officer should be censured for behaving tactlessly towards respectable public men."

The British Governor rejected the recommendation of his Premier and the paper was filed in the office documents.

The Government Rules and the law regarding government officials clearly state that no adverse entry against any officer can be made in the personal file without the concerned officer being officially informed about it, and this cannot be used at any time or any form against the officer. It is considered invalid.

The Government Rules and the law also state that even if the adverse entry has been communicated to the officer concerned officially, even then this entry cannot be used in any Departmental Enquiry, unless the adverse entry was made a part of the allegation at the time of making the allegation.

My so-called 'rigid temperament', a remark by Sir Sikander Hyatt was neither communicated to me nor did the Government consider it appropriate to take it up for the Departmental Enquiry.

When neither of the two things happened, then the Union Public Service Commission's intention of using the so-called allegation of 'rigid temperament' as an argument to dismiss me from the ICS is a blatant, illegal and shameless sin.

The Union Public Service Commission has been set up by the Government to prevent the Government's unfair and unjust treatment against any officer.

But, who can protect the Government officers from such an unfair and unjust Commission? There is no provision or description for this in the Constitution of the sovereign democratic republic of India. Two thousand years ago, a Roman scholar Juvenal, Decimus, Junius, 60-140 AD made a comment on the Roman empire, saying that, "It's fine that we have appointed 'guardians' to guard

the rights of people, but who shall guard the guardians?"

Another small story about this Union Public Service Commission's treatment towards me can be related here.

The following 'allegation' levied by the British Judge, Eric Weston, against me during the course of the Departmental Enquiry, will become a matter of entertainment and mystery for scholars not only today or tomorrow but for all farsighted intellectuals after the secular state was established in post-1947 India.

In 1948-49, the American Chevorlet cars were not easily and openly available in East Punjab. So, the East Punjab Government sent a letter under the signatures of Mr Bhide, ICS, Home Secretary, to all the Deputy Commissioners that whoever needed a Chevorlet car could buy one from the government quota after taking permission from the Government. I also put in my application that I may be granted permission to buy a Chevorlet car. Mr Bhide gave permission to all the other Deputy Commissioners but denied it to me, without giving any reason.

I bought a Chevorlet car through my own contacts from Jullundur. Then Mr Bhide gave direct orders to my subordinate, the magistrate whom I had delegated the authority to register cars under the Motor Vehicles Registration Rules, "not to register Kapur Singh's Chevorlet car."

There is no legal right with which a Home Secretary can, out of vengeance against any Deputy Commissioner, give such an autocratic order. If some autocrat, in a rare case, does give such order, it is not valid.

According to law, only the Deputy Commissioner has the authority to register motor cars in his district. Or the Deputy Commissioner can delegate the authority of registration to a First Class Magistrate.

According to the Motor Vehicles Act or the Rules under it, only the Deputy Commissioner, and no one else, has the singular authority to register motor cars in his district. Neither the Commissioner nor the Home Secretary, and not even the Governor has the legal authority to register motor vehicles. Even when they need to get *their* cars registered, they have to apply to the Deputy Commissioner only.

When my own magistrate refused to register my personal car saying that he has a written order from Mr Bhide, the Home Secretary that "the Chevorlet car of Kapur Singh, ICS, Deputy Commissioner, Hoshiarpur, is not to be registered", then I sent for the papers and also called the public prosecutor of the district, and told him to write a legal note to Mr Bhide, Home Secretary asking him why I should not get my car registered, and if the Deputy Commissioner does not give the order of registration, then who else should give the order? The public prosecutor said, "This order of the Home Secretary and your magistrate's refusal to register your car is ridiculous and childish. It has no significance in the eyes of the law. It is the Deputy Commissioner alone who has the authority to register the car, and nobody else, and not registering the car has no legal basis."

I, too, was of the same opinion and I got my car registered by giving the order and I also wrote to the Punjab Government that if there is any legal mistake or shortcoming in this procedure then the Government may appeal against it or review this order so that such a ridiculous situation does not arise again.

There was no question of anyone making an appeal or reviewing the law, because whatever happened was strictly in accordance with the law. But, Mr Bhide and the Chief Minister of East Punjab, Shri Gopi Chand Bhargava,

did not like the fact that I owned a Chevorlec. How can this Sikh Deputy Commissioner buy a Chevorlet on his own, get it registered himself and dare to drive it? What can be more outrageous!

Mr Bhide ICS, Home Secretary wrote a confidential letter to the Deputy Commissioner of Jullundur saying that, "When Kapur Singh crosses the border of Jullundur District in his Chevorlet his car should be confiscated and taken into custody." Is this secular rule or a parody of it?

When I heard of this, I gave the car to a friend of mine in Delhi. Why bang my head against a mountain?

When this "allegation" was probed in the presence of the British Judge, Eric Weston, Mr Bhide was summoned as an official witness. My defence lawyer asked him, "What is the crime of S Kapur Singh in this matter?"

He answered, "Why did Kapur Singh buy this car without my permission and order?"

The lawyer asked, "Please show the order or the legal reference, and read it, where it is stated that Kapur Singh or anybody else cannot buy the Chevorlet from the market without Mr Bhide's permission."

Mr Bhide replied, "The Government had said that whichever Deputy Commissioner wanted a Chevorlet he could ask for permission to buy it from the state quota."

The lawyer said: "Absolutely right, but what law does the poor man break when he is denied the permission and goes and buys it from the market where they are available and many others are buying them?"

Mr Bhide made no reply, and the Judge said, "Ask the next question."

The lawyer asked: "According to which law, authority or system, did you send a direct order to Sirdar Kapur Singh's subordinate magistrate that he should not register Kapur Singh's car?"

Mr Bhide answered: "The Government has authority on all matters."

The lawyer asked: "What is the basis on which you assert about the all-powerful state of Punjab?"

He answered: "The Government is bigger than the Deputy Commissioner."

My lawyer, Bhagat Singh Chawla, said: "The bullock is bigger than all the deer and the pig is bigger than all the peacocks, but the deer and peacock have their place and the bullock and pig have theirs."

The Judge said: "Ask the next question."

The lawyer asked: "If the Deputy Commissioner had not ordered the registration of his car, was there any other way he could have got it registered?"

He answered: "Kapur Singh should have made an appeal to the Government to seek permission to get his car registered."

The lawyer asked: "But every Deputy Commissioner has already been given this permission, according to the Motor Vehicles Act and Registration Rules. Where was the need for a fresh appeal?"

He answered: "This Kapur Singh always talks arrogantly."

The lawyer said: "Then, it is not a question of rules and laws. The Government only wants to humiliate Kapur Singh."

The Judge said: "Ask the next question."

The lawyer asked: "Have you read the section of the Indian Penal Code where the analysis and punishment of 'robbery' has been stated?"

He answered: "Of course! I am not that ignorant."

The lawyer asked: "If you see any difference in the description of 'robbery' in the Indian Penal Code and your order to the Deputy Commissioner of Jullundur to

confiscate Sirdar Kapur Singh's car; please explain it clearly."

The Judge said: "Enough! There is no need to ask this witness any more questions."

Later, when I asked for the record of this Departmental Enquiry at the time of filing my appeal in the Supreme Court, I was told that "it is irretrievably untraceable" and that "Sirdar Kapur Singh can rely on his memory and make do with documents he has preserved."

That is exactly what was done and had to be done.

On the basis of the above mentioned facts and evidence, the British Judge, who was dying to get appointed to the Supreme Court, wrote in his report against me that "Whatever Sirdar Kapur Singh did in this matter was very insulting for the Government."

Insult it was, but who was responsible for it? If the Hindu is guilty, then hang the Sikh? "*Parhiya hovey gunehgar ta omi sadh na mariye*," is a famous quote from Gurbani, which states that no one will be judged by his birth or caste; if an educated person is guilty, the illiterate will not be punished.

The Union Public Service Commission used this "insulting" argument to throw me out of the ICS; it accepted in its recommendations that the British Judge had rightly pointed out that this Sikh was insulting. Once again, Gurbani says, "*Raje shinh mukaddam kuttey jaye jagayen baithey suttey*." (The kings are lions and the subjects are dogs, they wake them up to trouble them even when they were sitting quietly or sleeping.)

If a sane person goes into a mental asylum, after some time, he will not be able to decide whether he is mad or everyone else around him is mad.

After narrating this tale of the Union Public Service Commission, it is appropriate to say something about

some of the lawyers with whose help the unfortunate citizens of India and victims of state wrath have to protect themselves.

The Departmental Enquiry against me was initiated in Dharamsala so that it becomes clear to everyone how this Kapur Singh who was the Deputy Commissioner of this district is going to be treated in the secular independent India. Exactly in the same manner the victors of the Second World War had tried the Nazi Germans in Newrenberg, to make it clear to the Germans that now they were the vanquished. My lawyer in Dharamsala was a Mr Puri, whom I had paid a heavy fee and who, I thought, was a competent and honest person. He had some very important documents and taped records in his possession, which I had given him. These records were evidence of how under the patronage of Pundit Nehru and Sardar Patel, and with the encouragement of Governor Chandu Lal Trivedi, Mr Bhide ICS, the Home Secretary, Mr Sachdeva ICS, Chief Secretary and Mr Shrinagesh had collected and concocted some false evidences and forged some fake papers. On the second or third day, when Shri Puri, on my behalf, had to present his cross-examination report of some witnesses and these papers and recordings to the court, he sent all these to the public prosecutor and sent a message to me that he does not wish to defend my case. When asked, he replied: "It's true that Sirdar Kapur Singh is innocent and an upright man. But, now when the country's leaders, Nehru and Patel, want to get rid of him, then it is my duty to go along with my leaders."

What could be done?

There were still one or two taped records with me. There was an Anglo-Indian young woman, Florence, who was working as a Housekeeper at the residence of Governor Chandu Lal Trivedi. She had taken exception to



some of his overtures and out of spite recorded some conversations of the Governor with a Deputy Superintendent CID, Lakshmi Narain, and had passed it on to my lawyer and had herself resigned from her job. According to this recorded conversation, Governor Chandu Lal is saying to Lakshmi Narain, "Lakshmi Narain, in the last six months, you are telling me for the second time that you have not been able to frame a case against Kapur Singh. There is no Government Servant against whom a false case cannot be slapped. There is huge amount of pressure from Delhi that Kapur Singh should be dismissed from service. What do you say?" Lakshmi Narain replied in English: "Sir, give me one more chance."

In 1961 or thereabouts, the Supreme Court had given such verdicts, on the basis of which I could have filed a writ petition in the Delhi High Court and have the order, to forcibly throw me out of ICS, nulled. In the third Lok Sabha of 1962-67, when I was a Member of Parliament, the Union Law Minister was Shri Ashok Sen, a very clever, ebullient and wanton argumentator. On a couple of occasions, I had caught him indulge in crafty manoeuvrings and had cornered him. The Speaker of the Lok Sabha came out and told me, "If you had not cornered him, the entire Lok Sabha would have let him off inadvertently." This Ashok Sen became my friend and in 1968, he volunteered to help me. He said, "Come, I will file your writ petition in the Delhi High Court and restore your ICS post with all your rights. It won't take me more than fifteen to twenty minutes to make the High Court judges speechless, and win the writ petition." He prepared the writ petition himself and filed it. I paid him a hefty fee. He deserved it. Ashok Sen is an extremely intelligent and competent lawyer. After two three weeks, at the time of hearing the writ petition in the High Court,

he went straight to the High Court, without talking to me or telling me anything, and said, "I withdraw this writ petition. I will file a new one."

Thus, my writ petition was cancelled by Ashok Sen himself.

Who was going to bother about filing a new writ petition? Ashok Sen refused to see me also.

I wrote a letter to him saying that whatever you have done is professional misconduct, and if law was enforced, you could be barred from practising law for life. But, I know that there is going to be no law to support me or to take action against you. Therefore, please return the hefty fees I have paid you for I am not a wealthy person.

Ashok Sen did not respond to this letter either.

Utterly frustrated, I kept quiet. After some time, cases came up in Calcutta against this Ashok Sen, indicting him of fraud and corruption involving the sale of official documents worth lakhs of rupees. These charges were so serious that everyone believed that he would be sentenced to at least ten years' imprisonment. In those days, the Allahabad High Court gave its verdict on Shrimati Indira Gandhi's case and her Prime Ministership was in doldrums. Shrimati Indira Gandhi appealed in the Supreme Court and Ashok Sen became her defence lawyer and got busy preparing to win her case with extreme astuteness.

Coincidentally, the serious cases against Ashok Sen filed by the Government of India, involving charges of embezzlement of lakhs of rupees, were not heard of, as though they had been put to sleep. The great poet Santokh Singh has rightly said, "God helps those who help others in their hour of need."

In the March-1977 general elections, Mrs Indira Gandhi and her Congress party were virtually wiped out.

No intelligent person saw sense in aligning with Mrs Gandhi.

On 31 March, 1977, under dateline almost all the important national daily newspapers carried this story:

"Mr A K Sen, former Union Law Minister, has tendered his resignation from the Congress.

"Mr Sen was Mrs Indira Gandhi's defence lawyer in the Supreme Court.

"In his resignation letter, Mr Sen has written to Mr D K Barua, President of the Congress Party: "How can I have any relation or commonality with such lowly people who do not consider anything wrong in destroying the nation and society?"

When I saw this somersault of Ashok Sen, I forgot about all that I had gone through because of him. I was no longer angry with the enemy's animosity.

In our ancient scriptures, the qualities of a successful man are described as: "He who thinks one thing and speaks another."

This is but a small episode of my experiences with the lawyer community. This is not the time and space to go into the details. The more I write the more filth will be exposed.

The real picture of the Union Public Service Commission and the lawyer community does not emerge until the glory of the courts and judges is not described, even though in a nutshell. Just as without a pearl the ring of a beautiful damsel is of no significance and without a lotus the pilgrimage is not complete, similarly, it is not possible to describe this sovereign, secular, socialist republic without the context of courts of justice and the judges.

A brief mention of Mr Eric Weston, the aspirant for a Supreme Court appointment, has already been made.

When Mr Eric Weston submitted his comprehensive report, under the Public Servants Enquiries Act, against me, I appealed in the Supreme Court as per law, on one point only that in this report whatever facts against me are said to have been proved, cannot be considered either legally or on the basis of evidence, be said to be proved honestly. I appealed that the evidence presented should be considered seriously and that my explanations, that were not allowed to be heard by sheer force and with ill-intent, should be summoned.

At that point of time, Mr Mehar Chand Mahajan was the Chief Justice of the Supreme Court, who was a highly intelligent, aggressive and daring judge. I had good personal relations with him too.

My lawyer said, "Your case is so clear that any honest judge, after examining the record, will not be able to say that any justice has been done. Mahajan is a strong and courageous judge. Only one thing goes against you, that you have very strong and fearless Sikh views. I am a clean-shaven Sikh, so people talk freely in my presence inadvertently. The voices that I hear from all around are that there should be a strict law that will crush this Kapur Singh completely otherwise the Sikhs will not come under control."

I said, "Don't pay attention to what people say. You can't think like this when you occupy positions in the court. Moreover, Mehar Chand Mahajan is a personal friend. He is not going to deceive me deliberately."

After some time, when the hearing of my appeal was listed in the Supreme Court, my lawyer called me especially from Simla to Delhi. When I met him, he said, "There is bad news. There is a garden and factory of the Chief Justice or his relative that supplies orange juice and lemon juice to the army. This year, the army dilly-dallied

about giving the contract to them. However, it has finally been approved. It involves lakhs of rupees. And, you might have to suffer because of this."

I said, "No, don't worry. Mr Mahajan is a very upright person."

My case was presented before a full bench of the Supreme Court. There were seven judges like the seven rishis gracefully seated, and Mr Mahajan was presiding over them like a moon among stars or Krishna among the gopis.

When my lawyer stood up to present the case, Mr Mehar Chand Mahajan told him very politely, "I have studied the case and the law that applies to it very carefully. I know the appellant also personally and I have great regard for him. But, just pay attention to the clause under which you have made the appeal. It states that if the lower court or jury gives any determination or judgment on the basis of facts, related to the facts, then an appeal can be made in the Supreme Court. But, the report which Judge Eric Weston has submitted against you, under the Public Servants Enquiries Act, states very clearly that the investigating officer should write his 'opinion' to the Government. Eric Weston has written his 'opinion' in his report. No matter how wrong or baseless this 'opinion' is, it cannot be appealed against in the Supreme Court. Many people keep giving myriads of opinions everyday. What right has the Supreme Court to get into the trouble of correcting such opinions?"

My lawyer said, "My Lord, it is on the basis of this baseless and immature 'opinion' that the Government of India has decided to dismiss a respectable person from a permanent service like the ICS."

Mr Mehar Chand Mahajan said, "The governments keep committing many such irregularities. What all can

we prevent?"

My lawyer pleaded, "My Lord, if you are not going to hear my appeal, please clarify in your judgment that Eric Weston's report is only his 'opinion', and is not a determination or judgment."

Suddenly the scene changed dramatically. Much like what it may have been in the battlefield of Kurukshetra, when Lord Krishna heard what Arjun said and acquired a ferocious attitude, the Chief Justice, Mr Mehar Chand Mahajan's face turned red hot and he looked with his bloodshot eyes. His polite and kind words changed into a lion's roar. His soft voice turned jarring. He pushed the papers of the case away and banged both his hands on the table and shouted, "No, I will not write. I will not write anything. The one-word verdict is: 'Dismiss'."

The entire plot created against me would have ended here only, if Chief Justice Mehar Chand Mahajan had written that this Appeal cannot be heard because Eric Weston has not given any judgment against Kapur Singh and not charged him of any crime. He has merely expressed his personal 'opinion' on him.

When the Nehru Government completed the second half of the drama, and threw me out of the permanent job of ICS and the high position I had occupied, and after four five years of distress and insult, to be left jobless, penniless and deprived of the pension due to me, I decided to fight a purely legal and serious battle, tooth and nail, till the very end to prove my innocence, and bring out the truth. In spite of all the governmental hurdles, I filed an elaborate Writ Petition in the Chandigarh High Court.

This writ lingered on for almost one-and-a-half or two years and was finally presented before one Divisional Bench comprising Chief Judge Bhandari and Judge Gopal Das Khosla. This GD Khosla later became the Chief

Justice of Chandigarh High Court and retired from this post.

It is customary that when a Chief Justice retires he is given a farewell dinner by the bar counsel to express their regard for the outgoing Chief Justice. When the matter of giving a farewell dinner to Mr GD Khosla came up for discussion, not a single lawyer was willing to concede that Mr GD Khosla deserved their regard. All of them said that whatever this GD Khosla had been doing as Chief Justice of the High Court did not deserve any honour or respect. In fact, it deserves strong condemnation. The leader of the Bar Council was Mr Sikri, the Attorney General of Punjab Government, a highly competent lawyer, a practical, down-to-earth and patient person, who later retired as Chief Judge of the Supreme Court. He held a meeting of all his lawyer colleagues and appealed to them that no one should use insulting and derogatory language in their speeches during the course of the farewell party, because some of them were openly calling him a "Gunda Judge". Ultimately, Mr Sikri's suggestion was accepted not to give any farewell dinner to him, saying that "it would be no pleasure to the Members to give a farewell dinner to the retiring Chief Justice Khosla."

Mr Sikri and the Bar Council finished the matter with this, but Mr Khosla did not.

Soonafter his retirement, Mr Khosla wrote a literary story and got it published in the Tribune in which he alluded to his sexual relations with Mrs Sikri in the most shameless and obscene manner so that it became evident to any acquaintance who he was referring to, and that it was obvious that the story was about the retired judge and Mrs Sikri. Mr Sikri's wife's name, Leela Wati was mentioned, and objectionable vocabulary was used. He referred to her as the 'playful one' and gave details of his

sexual relations with her so vividly that it surpassed the statues of Konark and Khajuraho temples, and the descriptions of Vatsayan and Kamasutra. Just as, these days (September 1978), the sexual escapades of Sushma-Suresh have become the talk of the town, the obnoxious depravity and shameless description given in this fictional story became a subject of discussion on the lips of everyone. The decent Sikri had not allowed the Bar Council to use the title of 'Gunda Judge' for Khosla, but now almost everyone referred to him with that epithet.

Disgusted with the whole thing, Mr Sikri gave a legal notice to this Judge Khosla that either, he should, at his own expense, get an unconditional and comprehensive apology for his gross affront published in the Tribune, or else Mr Sikri would file a defamation case on this sex maniac and demand damages for ruining his reputation.

The Bhagvad Geeta says "Satham shathe samachret" which means that a rogue needs to be treated harshly. Even Waras Shah has said, "Danda pir hai bigrhian tigarhian da", which means that the spoilt brats cannot be tamed without the use of the rod.

Mr GD Khosla did exactly as Mr Sikri demanded. On on his own expense and in his own self-interest, he cringed and got an apology published in the Tribune.

This Judge Khosla was once sitting with some people in the ante room of a shop in Simla. To overcome the chill of Simla winter, he was also drinking liquor. I happened to be there to look for things that I wanted to buy. I overheard this conversation between Judge Khosla and the shopkeeper:

Shopowner: Khosla Sahib, you have been sitting on Sirdar Kapur Singh's case for a very long time. When will it be decided? The poor man has been roaming the streets of Simla since many years.



Mr Khosla: We will dismiss his writ very soon. The decision to throw him out of the ICS was taken many years ago, in Delhi.

Shopowner: Many lawyers say that the legal aspect of Kapur Singh's case is so strong that unless the Constitution of India is amended and a new law is formulated to throw him out of the ICS, no one can touch him.

Mr Khosla: Let him do his best. The Government is going to throw him out of the ICS, and his case will not be heard anywhere. He is a staunch and dangerous Sikh.

I was already aware of this. Only this time I heard it pronounced with my own ears.

My writ, including the expenses, was dismissed by the Chandigarh High Court.

Thus, I had to go through the torture of appealing to the Supreme Court for many years. After all, I had to experience all that was ordained for me.

Before ending the tale of Justice Khosla, it is appropriate to mention that this disciple of Vatsayan went and settled in Delhi after retiring from Chandigarh. And, in the last twenty or twenty-five years, whenever the Government of India has faced a grave problem, and has found it necessary to conduct an enquiry, it has entrusted the matter to Mr Gopal Das Khosla with the utmost faith and confidence, and has come out clean in many problems and controversial matters.

Has any notorious judge who holds such petty values been honoured in any other country after his retirement? It is the holy land of India only where the mean are glorified and decent men are slighted and persecuted. That is why we sing "Vande Matram" with such gusto and devotion. *Sujalaam suphalaam malayaja shiitalaam*, which means: Mother, I bow to thee!

Rich with thy hurrying streams,  
bright with orchard gleams,  
Cool with thy winds of delight,  
Green fields waving Mother of might,  
Mother free.

After I took my case to the Supreme Court, I spent the whole year unnoticed and unheard.

The real cause of this delay was that when the points raised by me were referred to Mr Seetalwad, the Solicitor General, to probe the legal aspect of them and advise accordingly, that fearless and highly intelligent Parsee gentleman wrote plainly that, "The entire procedure to dismiss Sirdar Kapur Singh from the ICS, is totally and from beginning to end illegal, against the law of the land and absolutely inappropriate. Its authentication cannot be sought in any court honestly."

Mr Seetalwad was a well-known legal expert, a man of upright values and undaunting courage.

What was the Government to do, now?

Ironically, this was first of all communicated to me by Chief Justice Mr Mehar Chand Mahajan himself, which was later confirmed.

Now, the Nehru Government was caught between the devil and the dark sea.

Mr Seetalwad's written opinion is safely preserved in the official files of the Government of India till date.

Neither did the self-respecting Solicitor General Mr Seetalwad agree to fight the battle in the court on behalf of the Nehru Government in the Supreme Court, nor did the then Chief Justice of the Supreme Court, Mr Sudhiranjan Das agree to take the side of the Government of India.

Prior to this, Mr Nehru had sent feelers to me through the Muslim Union Minister, Janab Rafi Ahmad

Kidwai, whether I would be willing to go for an out-of-court settlement. Mr Kidwai met me in Delhi and said, "Let bygones be bygones. Now, let me take you to Mr Nehru. Everything will be all right."

I replied: "If Nehru ji had called me before starting the procedure against me, it was his right. I was the servant of the Government. Perhaps, I would have been able to convince him that I am not so bad. But, now, why should I go to him? To go down on my knees and beg for mercy? This I cannot do."

Mr Kidwai said, "After all, where is the harm? I take responsibility. Your self-respect will be kept in tact."

I said, "They have already destroyed my name and my reputation. God is witness of my self-respect. Even if I return to the ICS again, the old Kapur Singh has been murdered. Now the Kapur Singh who will be pulled out of the grave is worse than the dead. I am very grateful to you, but I am now in the same position in which the eighth guru, Guru Harkrishan Sahib, was about Aurangzeb. When Aurangzeb expressed his desire to meet him and asked him to come to his court, or meet him at the bungalow of Mirza Raja Jai Singh Sawai, where Guru ji was staying, Guru ji's reply was, "Neither will I go to meet him nor will I allow him to come and meet me."

Mr Kidwai said, "Great! I have heard many anecdotes of the Sikhs' obstinacy. But, I am really happy meeting you today. Khuda Hafiz!"

Before this meeting with Mr Kidwai, I had realised my existence through a different source as well.

Raja Sir Gazanfar Khan was the High Commissioner of Pakistan in Delhi. I had got to know him pretty well before 1947 and the Partition of India. One day, I met him in a popular restaurant in Delhi, drinking coffee. He invited me warmly to have a cup of coffee with him. It is

true they say that the art of pleasing others is in the blood of Muslims. Among other things, he said, "What are these guys doing to you?"

I said, "Whatever you see."

He said, "A couple of weeks ago, I met your President — what do you call him? Rashtrapati? — Yes, I met your Rashtrapati. I brought up your topic. I said this Sikh is very obdurate. He has been troubling us a lot too. But we could not catch him. He never goes beyond the law and does not let any finger point at his life style. He is not a bit dishonest, as you are making him out to be." The President said, "Yes, we know, he is innocent, but he is arrogant." And I said, "Hey, what is this 'but'?"

I said, "Raja Sahib, in our country, these days, anything which displeases Pundit Nehru or Sardar Patel is called 'but'."

There was very little time left for Chief Justice Sudhiranjan Das to retire from the Supreme Court, so I put in an appeal to expedite the decision on my case, and asked why it was being dragged for so long?

The Chief Justice ordered that this case should be listed for hearing soon.

After Sudhiranjan Das, the Nehru Government appointed Mr BP Sinha the Chief Justice of India.

Mr Sinha had not yet taken charge of his duties when the Urs festival of Khwaja Nizamuddin Aulia came up in Delhi. I was also present in the meeting where the Chief Justice designate was the special guest in the function. In his speech, Mr Sinha said:

"From times immemorial, superior and elevated souls take birth for the welfare and betterment of the people. Khwaja Hazrat Nizamuddin Aulia was one such superior soul, just as in our times our Prime Minister, Pundit Jawahar Lal Nehru has come in His incarnation."

(Applause)

Now, it dawned on me that the Nehru Government had been waiting for Mr Sinha to take over as the Chief Justice of India before this Kapur Singh's case should be presented before the court.

The central point of my case was that fake charges had been framed against me with the active connivance of the Prime Minister, Pundit Jawahar Lal Nehru. What justice should I expect from the court of such a man as this Sinha, who was going about unabashedly declaring that the leader of the Executive of India was a divine incarnation? Courts are meant to protect the rights of the citizens against the excesses of the Executive. But, when the cow is given to the butcher for its protection, then what protection can be expected?

Mr Achhru Ram was a top lawyer of Punjab at one time, who later became the High Court judge and retired in 1950, after which he started practising in the Supreme Court in Delhi.

He did not have a very high opinion of me when he was a judge in the High Court. He was a staunch and pure Arya Samaji, and I was blamed of being a staunch Sikh. We were bitter enemies so to say.

As luck would have it, his son got married to the daughter of a close friend of mine who was also a staunch Arya Samaji. This girl had virtually grown up in my lap and respected me like her father. When he heard about me from his daughter-in-law, he met me and said, "If you trust me, then I would like to fight your case in the Supreme Court." I said, "You are the father-in-law of my foster daughter; there is no one I can trust more than you." He was thrilled to hear my reply and said, "Chief Justice Sinha is a close friend of mine. And, your case is very strong. Even otherwise I can ask Justice Sinha for a case or

two."

A few days before my case was to come up before the full bench in the Supreme Court, which was to be presided by Justice Sinha, Mr Achhru Ram went to Justice Sinha's residence to pay his respects. When he returned, he looked crestfallen. He said dejectedly, "What will I do with your case? Give it to somebody else. Tut...tut... such deception!"

I understood everything. When my case came up I engaged a nondescript lawyer, who had no sympathy for me, and I had no faith in him as a lawyer. What else could I do? Who would hold the hand of someone who has annoyed a tyrant like Pundit Jawahar Lal Nehru?

In 1976-77, soon after the emergency, many books were published to find the answer to the question from where did the roots of moral depravity and ethical degradation start sprouting in the political system and bureaucracy, press and public at the official level?

The discerning reader will find an answer to this serious question from my autobiography.

Autocracy, oppression, injustice, deceit and corruption have become the basic elements of our Indian psyche since hundreds of years, and fear, adhoc values, flattery, slavish mentality, impotency, cowardice, and lack of discrimination between truth and falsehood have spread in the national character like cancer. Jawahar Lal Nehru and other judges, lawyers, whose story has been narrated here, are the true reflection of our decline and depravation; they are representative of our national character and not an accidental miracle.

When my case was presented before the full bench of the Supreme Court, Justice Sinha began by telling my lawyer:

"It is wrong to defend rogues and rascals. This man

has published such a huge book in his case. Who is going to wreck his brain to read it?"

I whispered in my lawyer's ear, "Drop the case here only. What do you expect from a butcher?" But he said, "Let me talk."

Who can be more of a coward and a weak person than someone who, by virtue of his high position in the highest court of law, chooses to make unkind remarks about victims who are unable to retort? Those who knock at the doors of the courts to seek justice and redressal, do not appeal to the mortals, but pray to the immortal lord to deliver justice to them. Those who think that these victims are cringing and begging for mercy before them are ignorant.

At the time of the hearing of this case, Mr Seetalwad was the Solicitor General of the Indian Government, who had refused to be the public prosecutor against me. He was standing outside in the verandah and was looking at me sympathetically, and was viewing the court proceedings with disgust and despondence. An unknown junior lawyer had appeared on behalf of the Government of India, who was trying to discuss the case with his face covered by the papers in front of him.

When the discussion began on the eight or nine points raised by me, almost all the judges silently and openly agreed that the decision on these points appears to be difficult.

It seemed that the real secret was shared only between Jawahar Lal Nehru and Justice Sinha and had not been disclosed to the others. The other judges had no idea about the under currents.

Finally, when the discussion on the case proceeded, the atmosphere of the court room seemed to acquire the colour which was obviously opposed to what Justice

Sinha wanted. He said to my lawyer, "It is a very lengthy case. Discussion on it in the open court should be stopped. Whatever else you want to say, give it in writing. We will consider the case and give the verdict. But make a note of one thing. We are not going to give any decision on the point that Kapur Singh has made that for four years he has been suspended illegally because of which he has lost salary of two lakh rupees."

The Chief Justice did not explain why he would not give a decision on this point. But it was quite clear. The Supreme Court had given its decision on many such cases before, that such suspensions are absolutely illegal and against the law of the land. Therefore, the decision on this point had already been given and that would have been in my favour in accordance with precedents.

No matter how strict the law may be, neither the Government of India nor the courts of law were ready to help Sirdar Kapur Singh in any way.

I got my written arguments typed and filed, with special emphasis on my illegal suspension.

Annexure XI is the photostat copy of my handwritten notes, which I had jotted down on the 19th November, 20th November, 23rd November and 24th November 1954 sitting in the court in which Chief Justice Sinha's remarks and Judge Dasgupta's responses are recorded. They are self-explanatory.

The Supreme Court dismissed my case in toto and levied the expenses on me too.

Expenses are levied on the person who, for the sake of fighting, raises absurd issues for litigation. Expenses are not levied on a person who goes to the court to get justice on solid and substantial matters based on serious arguments, irrespective of whether he loses the case or wins it. This is the tradition followed in courts of law



worldwide.

The Solicitor General of the Government of India had in writing accepted all the legal points that I had raised in my case. All these points, as will be revealed later, had been accepted by the same Supreme Court in the case of another ICS officer, Raghupati Kapur.

The facts were the same, the law was the same but the verdict went in favour of Mr Kapur and against Kapur Singh, that too along with the expenses. This is the secular law made by the Indian Legislature and determined by the Supreme Court of India!

But something, even stranger than this, was also done. The verdict against me was written by Justice CL Shah who was one of the judges on the full bench. All the seven judges signed the verdict, including Justice Dasgupta. No decision on my illegal suspension was taken in this verdict.

The other legal points raised in the case were rejected, and it was written: "No other point has been raised and brought before us."

In my writ petition, it has been clearly complained that I had been illegally suspended for the last four years, and it should be looked into. The written arguments that I registered with the court on 24th November, 1954, had this point especially stated. It is mentioned many times in Annexure XI. Even then, the seven judges of the Supreme Court wrote this in the verdict against me, which is baseless and false.

What can be made out of it?

This Justice Shah, who wrote down the verdict, later went on to become the Chief Justice of India and retired from that post. He is the same Justice Shah who determined the boundaries at the time of making the Punjabi Suba, who said in his report that Dalhousie

should be taken out of Punjab and given to Himachal Pradesh because it is a hilly area and the hilly area of Morni should be given to Haryana because majority of the people of Morni are Hindus. This Justice Shah is the same fearless and celebrated judge who presided over the Enquiry Commission constituted against the former Prime Minister, Mrs Indira Gandhi in 1978, and who presented the report of historical importance to the whole world, which convinced the world community that there was an intelligent, legally competent and fearless judiciary in India.

Recently, Mrs Indira Gandhi gave a written letter to this Shah Commission, which reminded Justice Shah, among other things, about the time when more than a hundred parliamentarians had signed a written demand in the parliament to accuse, stigmatise and impeach Justice Shah, as per law, because he is not an honest and well-meaning judge. Besides other corruption charges, if he is against a citizen, he even goes to the extent of deliberately writing false facts that cannot be corroborated with evidence. There is no chance of protection from the injustice delivered by the Supreme Court, the apex court of the country.

Other things are irrelevant here. But, whatever was done against me through Justice Shah, which includes the loss of lakhs of rupees, on the point of my suspension, was confirmed by Mrs Indira Gandhi in her letter to Justice Shah.

I had raised the following points in my appeals to the High Court and the Supreme Court:

- 1) According to law, the Punjab Government or any other Government cannot suspend an ICS officer.
- 2) An ICS officer cannot be suspended on the

basis of doubt and suspicion only; first the allegation against him has to be proved.

- 3) The Punjab Governor or any State Government cannot order any High Court Judge to take on the additional task of conducting a Departmental Enquiry. As per the law, such a "request" can be made only by the President of India.
- 4) In case a judge agrees to undertake this additional task, then his work will not be considered his official or legal duty and nor will the judge be entitled to get any salary for the time he spends on it. Thus, his 'report' carries no legal weight. Indeed, it should be taken as his self-willed, impulsive and nose-poking interference in other people's matters.
- 5) The law, Public Servants Enquiries Act, 1852, under which Departmental Enquiry was ordered against me, does not apply to ICS, and has not been used in the past hundred years to throw an officer out of ICS. The entire Departmental Enquiry conducted under this Act is a nullity.
- 6) Even according to this Act, the Punjab Government has the right neither to make allegations against me nor order a Departmental Enquiry against me. This can be done only by the Government of India
- 7) When my evidence of my substantial and necessary explanation has not been taken, then which law is being considered under which injustice is being done to me?

These solid and substantial points and many other legal points were rejected outright by the High Court and

the Supreme Court, and my dismissal from the ICS was considered legally appropriate.

After a lapse of some time, somewhere around 1962, when I had become a Member of Parliament, it so happened that one Hindu ICS officer, Raghupati Kapur, was appointed in Punjab, and he got into a tangle with the Sikh Chief Minister of Punjab, Mr Partap Singh Kairon. Mr Kairon was aware of the details of the law and legislation that the Punjab High Court and Supreme Court had used against me. Based on that, Mr Kairon levelled charges against him and suspended him from ICS, and also appointed a High Court Judge to conduct a Departmental Enquiry into his case.

Mr Kapur filed an appeal against this illegal "Sikha-shahi" in the Supreme Court, and raised exactly the same seven legal points that I had raised in my unsuccessful appeal. The Supreme Court upheld all the seven points and reinstated Mr Kapur in his position in the ICS. He is now drawing a pension of eleven hundred rupees per month.

The constitution of India is definite, but it means whatever the Supreme Court states in every case. The constitution of our country states in Article 141: "The law, declared by the Supreme Court shall be binding on all Courts within the territory of India."

Thus it needs to be understood that according to the Indian constitution of the country, if a Hindu Chief Minister of a Government suspends a Sikh Sirdar Kapur Singh and orders a Departmental Enquiry against him to dismiss him from the prestigious and permanent post in the ICS, then the law allows it. But, if the same is done by a Sikh Chief Minister in any State against a Hindu officer, like Mr Raghupati Kapur, then the law does not allow it. This decision is of the apex court of the land, the Supreme

Court of India.<sup>4</sup>

In Annexure IV, these words appear, "The constitution and the laws are written in books, but the way they are implemented is a different story. The secret of politics is to say one thing and do another, and there is no connection between speech and action." To understand the exact background of these statements and the misgivings of the Muslims hinted at in "Sachi Sakhi", it was necessary and important to add this brief autobiography and Annexure I in this book.

Therefore, to complete the autobiography, it is appropriate to give some more facts.

When the Supreme Court accepted that the points I had raised in my case were in accordance with the law in Mr Raghupati Kapur's case, I filed a fresh appeal giving reference of his precedent that my six years of suspension and dismissal from the ICS has been proved to be illegal and unlawful. At that time, in 1965, Sardar Gurnam Singh, Judge, was the Opposition Leader in the Punjab Legislative Assembly. He wrote a letter to the then Prime Minister Shri Lal Bahadur Shastri stating that the law of the land is the same for Sirdar Kapur Singh and Mr Raghupati Kapur and that is how it should be. Therefore, now it is the duty of the Government of India to give Sirdar Kapur Singh, MP, all his salary of an ICS officer.

Shri Shastri replied without any hesitation: "The Government of India is not prepared to give anything to Sirdar Kapur Singh, no matter what the law may be."<sup>5</sup> This letter is safely preserved in the records of the Supreme Court. Shri Lal Bahadur Shastri was a prominent member of the Servants of Peoples Society, established by Lala Lajpat Rai in Lahore. The brief sketch of this Society is given in the pages of "Sachi Sakhi".

It needs to be remembered that Shri Lal Bahadur

Shastri was a soft-spoken, pleasant, vegetarian, non-violent Hindu.

On the basis of this letter, I filed a fresh appeal in the Supreme Court in 1966 that now my rights, that have been taken away from me deceitfully, should be restored, but there was no hearing.<sup>6</sup>

There are many interpretations of the law and there are many faces of the constitution. They just appear to be equal on the surface. "The swan and erget are both white. Then what is the difference between the two? The swan separates milk from the water while the erget makes it dirty. That is the difference between them."

Mr Jinnah's statement that is often repeated in Sachi Sakhi that "Let the British, before they quit, make an award giving the Muslims their own bit of country, however small it might be, and they would live there, if necessary on one meal a day", can be better understood after reading the above-narrated story of my life, and there will be no doubt left in the reader's mind that what Mr Jinnah and the Muslims wanted and demanded was not just fanaticism, but politics based on farsightedness.

As is absolutely evident from Sachi Sakhi, that from the time of Raja Ram Mohan Roy (born in 1772) to the time of Bankim Chandra Chatterjee, Sri Aurobindo, Bal Gangadhar Tilak, Gokhale and Mahatma Gandhi (death in 1948), the basic values which inspired nationalism in India were based on ancient Hindu culture, spiritualism, and the definite, glorious futuristic duties of the Hindu community and India. When India attained Independence in 1947, and Mr Nehru and the likes of him got the power of sovereign republic in 1950, Pundit Jawahar Lal Nehru and his companions started destroying the future of India and the Indian society with their new-fangled ideas. These ideas and tendencies were exactly opposed to the

inspiration that had encouraged the Hindu nationalism in the past hundred and fifty to two hundred years.

Annexure III is a poem, written in 1955, which is a commentary on Pundit Jawahar Lal Nehru's desires and ideas after an in-depth study. The meaning of this poem is that the social and cultural structure that is being created within the framework of the country is totally opposed to that inspiration because of which the minorities made more sacrifices and the majority community made less sacrifices in the freedom struggle. This thought could be conveyed in poetry only that a stable and permanent institution cannot be established by quick and reckless ebullition. Stability can be built on strong and deep foundations and such stability requires a long time, farsightedness and a peaceful atmosphere.

As far as religion goes, Mr Jinnah was just a lukewarm Muslim. In 1944-45, some Muslims popularised an imaginary anecdote about him and his devotion and belief in Islam, which says that Mr Jinnah had gone for the Friday namaz one day when the Mullah explained this sermon of the Quran, that "Oh Momno, you are directed to follow Allah Tala, Nabi Rasul and your Qaid or leader and obey his command." Mr Jinnah was silently listening to the sermon inside the mosque, but when he came out he asked, "I could not understand the whole thing. Allah Tala is God and I am qaid. So, who is this third person who was named as Nabi Rasul?"

Dr Iqbal was a devout Muslim but he figured out in the very beginning only that the Muslims will not be able to get a better leader than Mr Jinnah in the coming years. He had been writing his political thoughts in letters to Mr Jinnah since 1932-33 only. In 1947, after the making of Pakistan, Mr Jinnah published Dr Iqbal's letters in a booklet, "Letter of Iqbal to Jinnah, Lahore," (1947). In

one letter of 28th May, 1937, Iqbal wrote to Jinnah:

"Also the insertion of Jawahar Lal Nehru's Socialism is likely to cause much bloodshed among the Hindus themselves. The issue between social democracy and Brahmanism is not dissimilar to the one between Brahmanism and Buddhism... It is clear to my mind, if Hinduism accepts Social Democracy it must necessarily cease to be Hinduism." — quoted in "Appendix" to *Iqbal* by Hafeez Malik, Columbia University Press, New York, (1971), p. 386.

Whatever the poet is saying or trying to say in this poem is satirical and sarcastic, which can be expressed only in poetry. The impact of puns, the circumlocution and the power of rhyme that poetry makes is just not possible through prose.

Annexure IV is the speech that the author delivered in the Lok Sabha on 6th September, 1966 at the time when Punjabi Suba was being made. The Home Minister, Mr Gulzari Lal Nanda did not refute any of the facts and statements made in this speech when he responded to it. On the contrary, he accepted the facts and said that whatever has happened is in the past and now it would be proper to pay our attention on what is appropriate in the future and do that. The facts enumerated in this speech are an integral part of the facts and views outlined in the "Communal Award". That is why Annexure IV should be taken as an integral part of *Sachi Sakhi*.

In Annexure V, the evidence is made available which strongly confirms the subject matter of *Sachi Sakhi*, but it is an independent piece of evidence. Similarly, Annexure V, "Selling the Panth Dirt Cheap" gives some details of Dr Gopal Singh 'Dardi', MA PhD, former ambassador.

Annexure VI also presents an independent piece of evidence like Annexure V, which verifies the facts stated



in Sachi Sakhi. That is the reason why this article "When Master ji Refused to Meet Mr Jinnah" has been included in this book.

In this book *Sachi Sakhi* many historical facts and ideological views have been included deliberately, which correspond with events taking place currently, in the form of an autobiography so that they are preserved for posterity. It will help the intelligent and objective reader to get a picture of the background of the motivating inspirations of a thousand years before the "Communal Award", and what happened after the "Communal Award" especially to the Sikhs. Hopefully, it will also help to make the future of India bright.

The basic principles, on which the Partition of India was decided in 1947, were, as far as the Sikhs are concerned, not implemented or could not be implemented. Why? How? The answers to these questions will be found to a large extent in this book.

The new secular Hindu, Hindi Hindustan that is being created now, rests on the foundation stone of three factors: (1) betrayal of the Sikhs, (2) the strong inclination of the majority to establish imperialistic authority on the minorities, and (3) the negligence of the ancient and eternal culture and ideology of India.

According to the author of *Sachi Sakhi*, these three tendencies are destructive and detrimental to Sikhism and the Sikh community, which is the culmination of the unique, eternal and compassionate culture of our great country India. According to our ancient culture and ideology, there is no sin greater than betrayal. He who backs out of the promise he made is a sinner even though he may have hundreds of other virtues. The earth trembles to witness such pettiness and spiritual degradation.

Our present leaders do not consider breaking promises as a sin, at least as far as the Sikhs are concerned. They do not understand the subtle fact that the blatant betrayal of the Sikhs today can lead up to becoming the very character of the leaders and destroy the entire nation.

Immorality is the root of all sorrows. This is our ancient belief. If secularism is interpreted to say that things like religion are outdated, then how can we even hope to find peace and happiness? But, this is what is happening, as is evident from the facts given in Sachi Sakhi. All that happened to me, and all that was done against me from the top to the bottom, is nothing different from the tendencies that gave birth to the modern conflict and the emergency of 1975-76. In fact, all this took birth in the effort to destroy me.

Injustice done to an individual, and then to justify it by corrupting and poisoning all the integral parts of the government machinery will ultimately lead the country to hell and will throw the future generations into depravation. It cannot lead to strengthening the majority community and establishing its supremacy over others.

Two and a half centuries ago, Solon, a law expert of Greece had questioned, "How can religion and justice be established?" And, he had answered it himself, "Only if everyone thinks that injustice and oppression done to one person it is done to them." Guru Granth Sahib says, "Whatever is happening to the neighbour, consider it is happening to you."

If the view is that "one Sikh is dying, let him die", then you cannot hope for peace and happiness.

The belief that destroying a certain individual or a certain community is the best religion is the worst kind of crime and sin which will destroy the sinner. The Rigveda prays to the Sun God, "Give us good thoughts from all

directions!"

There will be two outcomes of these above-mentioned tendencies and the farsighted persons can see that they are already visible.

These two conclusions are: (1) weakening of the moral structure because of political power coming in the hands of the majority community, which will bring problems and misery to the country and the community. (2) Frustrated by the betrayal and breaking promises, the situation in which the Sikhs find themselves, there will be religious decline, moral degradation and loss of good character among the Sikhs. And then these destructive Sikhs will destroy the entire religious and social fabric.

The degradation that has already crept into the political fabric is reflected in the Introduction of this autobiography Sachi Sakhi, which is evident from the facts mentioned in it.

A special annexure is added to this book to give a somewhat hazy picture of the degradation of the Sikhs so that the whole picture comes to light.

The speech that the author of this book delivered on 27th October, 1969 in the Punjab Vidhan Sabha on the motion of martyrdom of Darshan Singh Pheruman is given in Annexure VII. The description and the story given in it speaks for itself.

This speech is exactly the same as was given in the Punjab Legislative Assembly. But, when the office of the Assembly published this speech, an absolutely fake and false speech was put in my mouth.

The simple folk who, in their search for truth, rely on official records and documents as authentic and gospel truth, will find this distorted speech in the official records an eye-opener and a warning. State governments cannot run without taking support of lies and falsehood. But,

after Independence, the extent to which our countrymen, especially the Sikhs, have gone in this matter is an entirely different matter.

Similarly, the words "and to turn it into a Sikh quarantine" were deleted from my speech in the Lok Sabha given in Annexure XI.

In Annexure VIII, "A Ray of Light" the tale of shameless depravity, shamelessness, fraud and cowardice of the Sikh leaders has been described, alongwith the evidence of the spirit of self-sacrifice, devotion and dedication that is still there in the seed form among the Sikh masses on the other hand.

Annexure IX is the copy of Sardar Darshan Singh Pheruman's handwritten and clear and definite last wish, which bears the martyr's own signatures, and which bears the signature of Sardar Mahinder Singh Khanna's signature as witness, so that the reasons for which Sardar Darshan Singh Pheruman sacrificed his life should be known and preserved, and more importantly, so that the misconceptions that cropped up about the goals to be accomplished because of the Akali Government and the cult of sainthood in Sikhism, should not take root, and the future historians should be under no delusion.

These eleven annexures have been added in the second edition of the book so that the subject matter of *Sachi Sakhi*, its backround and aftermath comes to light from all angles and aspects. It is given with the view to explaining to the reader that politics and the human tendencies of the governments are very deep and complex and beyond the comprehension of a simple common man.

In 'Jnanasidhi' written by Indrabhuti, 8th c., he says:  
"A yogi attains the elevated state by taking the support of the sins for which a common man rots in hell for millions of years."

This mysterious principle and cruel tradition is used by the political leaders to lead the governments in our country these days, and it is the same intrigue that is being used by some Sikh leaders to confuse the simple-minded Sikhs.

If the coming generations understand these secrets after reading and contemplating "Sachi Sakhi" then it will be the appropriate success of the book.

Let no one think that this Kapur Singh goes on narrating his tale of woe, which has no connection with the subject-matter of the book *Sachi Sakhi*. If this was just a personal experience, then that is a thing of the past; it has happened and is behind me. I have lived more than thirty years as a victim of State Wrath. I have spent these years without a job, without income, and without being able to earn money. My only son has gone abroad and completed his education while working and earning for it. My wife had to work even when she was ill-disposed, to run the house, and then passed away. My parents, who had educated me with great expectations and against all odds, saving every penny to impart the best education to me, and who did live to see some very good days too, finally passed away seeing my plight.

Nobody paid attention to the injustice done to me and I did not get justice from any quarter. But, my Guru helped me stick to my faith and my convictions. I am not worried about the future. It will take care of itself. An Urdu poet has put it beautifully, "The night has passed but the fact remains; you didn't come, but that didn't stop the day from dawning."

Now, in the evening of my life, why should I tell my woeful tale and ruin your time? Again, the poet says it aptly, "More has gone, very little left. Moment by moment life has slipped away. Why should I get

blemished for the sake of a single moment?"

However, this autobiography that I have written as an Introduction of this book is also the background of the "Communal Award", and it throws ample light on the principles and outcomes of this Communal Award.

Firdaus (death in 1020) had written about his great book "Shahnama" that to complete it he had to go through thirty years of difficulties, but I have brought to light the deeds and language of my ancestors and my country."

This brief autobiography that I have recorded as Introduction should be taken in the same light as Shahnama. "These are the interpretations of Quran Sharif by the great poet Waras Shah."

Kapur Singh  
Tinjaman, Khajabaju  
Jagraon, 142026  
July 1, 1972

707/XI — Chandigarh - 160011  
October 5, 1978.

## Notes

1. Article 15 of the Constitution Act of India. The State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, place of birth or any of them.
2. Article 124 (3). A person shall not be qualified for appointment as Judge of the Supreme Court, unless he is a citizen of India.
3. In 1929 or thereabouts, Sir Omar Hyatt Khan Tiwana had, in his speech in the Central Assembly

in Delhi, said, "People say I am the Government's Mamu (uncle). And, I say, I am." These words had resonated in the whole country.

4. Article 14: The state shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.
5. According to the Constitution of India, every minister, including the Prime Minister, has to take this oath: "Third Schedule: I swear in the name of God that... I will do right to all manner of people in accordance with the Constitution and the law without fear or favour, affection or ill-will."
6. Article 137: Subject to the provisions of any law made by parliament... the Supreme Court shall have the power to review any Judgment pronounced or order made by it.

## Communal Award

Communal Award has tremendous importance in the history of the British from the time they established their imperial authority in India till the time they gave it up. Having ruled over the whole of India continuously for nearly one-and-a-half to two centuries, when the British handed over the governance of the country to the rightful owners in the middle of the twentieth century, Communal Award was the foundation of the ultimate decision of handing over that right. Thus, the narrative of the Communal Award, its background, foundation and aftermath, is interesting as well as useful.

Interestingly, the experts of none of the main Indian languages, Urdu and Hindi, were able to provide an accurate translation of the term 'Communal Award'. So, the English version of it was accepted widely in all languages. The Sikhs, who have the responsibility to preserve the Punjabi language, did not even make an attempt to translate it. If this is taken as incidental or coincidental, and not without a profound mystery, it will be a mistake and superficial understanding.

'Communal', the adjective, comes from the source noun 'community', which is translated as 'qaum' in Arabic, and 'jati' in Sanskrit. In Arabic, 'qaum' is a social entity, religious organisation and political estate and state. The ancestors of the great historian, world famous, Ibn-Khaldun (1332-1406) who was born in Tunis, Algeria and died in Cairo, Egypt, belonged to the beautiful city of Seville in Spain a hundred years ago. They were thrown out of the Islamic state of Granada after its defeat. Ibn-Khaldun has written a voluminous book on Islamic history in Arabic. In its foreword he has tried to determine the doctrinal causes of the rise and fall, progress



and decline of kings and communities. This foreword, "Al-mukkadameh" was later separated from "Islamic History" and published as an independent book which became very popular. Now, "Al-mukkadameh" is considered the most authentic and genuine source of Islamic political doctrine all over the world. Ibin-Khaldun wrote this "Al-mukkadameh" and Islamic history because he was deeply affected by the defeat and destruction of the great Islamic empires in Spain. That is why our great poet of Punjab, Dr Sir Mohammad Iqbal (1875-1938) wrote:

"Aasman ne daulat-e-garnateh jab barbad ki  
Ibin-Khaldun ke dil-e-nashad ne fariyad ki."

The word 'daulat-e-garnateh' is worth considering. The words 'state' and 'dynasty' are two aspects of the same concept in Arabic and Islamic thought, and not separate, independent or distinct. There is only one word for both these concepts which Ibin-Khaldun and later Mohammad Iqbal have used, and that word is 'davaleh'. 'Davlah' or 'davlat' or 'daulat' is a collective noun for various concepts such as king-subject, country-nation. The denotation of 'community' is 'social entity'/'cultural entity', but it is not the essence of a sovereign or a tribe desirous of political power. It is so because one or more communities can be subjects of a single nation with equal rights, which is against the basic Islamic principles and opposed to its ideology, and those who use them or popularise them are anti-Islamic, 'munafic' and what the Leftists call anti-social these days, and the Marxists call 'deviationists'.

This is the reason why the Communal Award could not be translated into Urdu. The real secret behind this was that the Muslims of India did not approve of the basic doctrine of the constitutional affirmation of equal rights of various cultural entities. That is what ultimately

became the reason behind the partition of India as the leader of the Muslim League, Mr Jinnah said, "Let the British, before they quit, make an award giving the Muslims their own bit of country, however small it might be, and they would live there, if necessary on one meal a day." (Noted by R P Masani, in *Britain in India*, Oxford, 1960. p, 23)

Whatever reasoning went into the partition of India and the Communal Award not getting translated into Urdu, the reason is what has been stated, that Communal Award in its concrete form is detrimental to the Islamic social state.

Why could the Communal Award not be translated into Hindi of Sanskrit origin? The causa prima is the same as what we have said about Islam, that the Hindu psyche accepts social entities all right, but only if they are summum genus in the four-varna social structure, in which species and co-ordinate species of different communities exist, but not inverse communities, like the Islamic community. For such inverse communities, the fundamental Hindu ideology is '*Malechhahe yavnasteshu shastamind sathitam*', the inverse communities, no matter how advanced they may be in knowledge and science, they cannot be adopted.

The Communal Award accepted three peoples in India, who had the birth right to exert political sovereignty in India, ie, Hindu, Muslim and Sikh. About the Muslims and Hindus, it has already been said that they were opposed to the fundamental postulate of Communal Award, which was based on the premise that the sovereignty of India should remain undivided, but the same cannot be said about the Sikhs. The main objective of Sikhism is consistent co-operation of the basic uniformity of Semitic and Aryan communities and the

Muslims at the spiritual, cultural, social and political levels. The fifth master, Guru Arjan Dev ji suggested "*Musalman momdil hovey antar ki mal dil te dhovey. Duniya rang na avey nere jio kusum paat ghio pak hara.*" (Maru, 13.3.12), which means that the Muslims should give up the desire to oppress and abide by the tenets of Islam such as compassion, friendliness, equality, indifference, brotherhood etc, and the Hindus should give up their narrowmindedness, untouchability and hatred, and consider the Muslims as pure as flowers, ghee, silk and deerskin, which are considered pure. This is the dynamism of Sikhism. Actually, the spirit of coexistence, which is the presupposition of the Communal Award, appears to be validated by Sikhism alone.

If this is so, then why did the Sikhs not produce a credible and popularly accepted translation of the Communal Award? There were two reasons. One, head count was the basis of division of political power, and not dignity and solemnity. The Sikhs felt it was a losing proposition that lacked the hope of security. Second reason was that in 1947 the Britishers were in such a haste to depart from India that it was impossible for the Sikh leaders to contemplate about the matter patiently and with equanimity, and they lost sight of the fundamental goal of Sikhism, and made the protection of Hinduism their *causa sine qua-non*. Consequently, they not only lost their political right of self-determination, but turned their back against the original goal of Sikhism, and became incapable of bringing about future harmony of the Semitic and Aryan spirit. Because of these two reasons, the Sikh psyche could neither accept the Communal Award nor reject it. That is how the Sikhs did not give a credible translation of the term Communal Award.

An analysis of the Sikh unrest in India after 1947 and

the real reason behind the horrific treatment of the Sikhs in the tragedy of 1947 in East Punjab can be understood only in the background of the Communal Award and its aftermath. Viewed thus, the brief narrative of the Communal Award is not only entertaining but enigmatic too.

In 1600, the East India Company had laid the foundation of establishing the British Empire in India. This East India Company, which was purely a commercial organisation, had the intent of colonial control and the possibility of handing over political control to the Indians in its very roots. It was obvious that commerce leads to wealth, but commerce can lead to political power was established by East India Company only. When the King of England gave the right to East India Company, a commercial company, to trade with India officially, he ensured that India's British trade was under the administration of the British Emperor. This is the root of the British rule over India, because the King of England's official approval of the East India Company, which allowed it to move about in an alien and independent country, is indicative of the fact that they had the ambition to establish their rule in India and desired to assert their rights. In 1661, the British Government admitted in the charter that the Company was the master of forts, fortifications and the army in India and has the right to mobilise, go to war and sign treaties. From this perspective, the secret desire of the British to establish rule in India is obvious from the main objectives of this commercial organisation.

This desire, ultimately, became apparent in 1849 in the Britishers' complete annexation of India.

This East India Company, the greatest branch of the tree of porphyry, emerged as the power responsible for

the foreigners leaving India and handing over the political power to Indians in 1947. And this is how it happened.

In 1757, when the victor of the Battle of Plassey, Robert Clive, entered the Nawab's palace at Murshidabad, he was spellbound to see the treasury of the Nawab overflowing with ornaments of gold, silver and diamonds. He and his colleagues looted as much as they could and, later, when the British Government investigated the matter, Clive answered in angry surprise:

"I deserve your praise for the control I exerted at that time. I was passing by rows and rows of vaults full of gold and diamonds open in front of me. Mister

President, now when I remember that time, I am myself surprised at my sacrifice and forbearance." (Rawlinson, H G, *The British Achievements in India*, London. p, 20-21)

These kinds of battles and wars may have been beneficial for warriors like Clive, but they were financially harmful for the Company, and thus the economic pressure on the Company increased so much that even the Bank of England refused to give any more loans to it, and the Company asked the British Government for financial help. That is why the British Parliament passed the Regulating Act, 1771, after investing all the aspects, and took over direct responsibility of managing the Indian territories of the Company. As a result, Sir Warren Hastings was appointed the Governor General of Bengal. Thus, when the British Parliament accepted the responsibility to take over the administration of the Indian territories, it became imperative to follow the same principles of rule in the Indian territories as were followed in England. The basic principles of administration in England are: (1) People should be ruled according to their wishes, and (2) the goal of this rule should be their good

and their welfare. No government that ruled over India, which was directly or indirectly under the authority of the British Parliament, and hence came under the responsibility of the British Parliament or the British people, could directly ignore or reject these two principles. This was the historical and ideological background of the tree of Independence that blossomed in 1947.

The twenty-year charter of the East India Company came to an end in 1803, and it had to be revived. Lord Granville presented the India Bill in the British Parliament. In his speech to ascertain its authenticity, he said:

"There are three main motives in the foundation of this legislation. First, that the foundation of protecting our rights and the use of these powers is that its imperial power lies with His Majesty... regardless of how the power came to the His Majesty, it is now impossible for us to give it up. Even if we may not be highly interested in using this sovereign power, it is necessary for us to accept it. Second objective is never to let the interests of the Indians out of sight, and, third is respect for England's interests. If there is honest endeavour, then there is consistent harmony between the benefits of the Indians and interests of England, and there is no basic difference." (Hansrd, XXV)

This was the time when the portion under the Sikhs was the only independent territory, and the rest of India had come under British rule.

In 1913, Marquis Hastings arrived as the Governor General of India, and credit goes to Hastings that he expressed his views in clear terms for the first time that a time will come when the British will willingly hand over the political power to the Indians and depart. In his private diary he wrote on 17th may, 1918, that:

"The time is not too far away when England will

decide, on its own, to give up political power because of good practice, which we have gradually but without serious consideration acquired, and which, at this point of time, has become impossible for us to abdicate suddenly."

This is the truth, and it is the insightful intelligence and the height of maturity of the British that in the long period of the last 150 years, even the most dogmatically imperialistic scholars have agreed that political power of the Britishers over India cannot stay for ever and should not stay. The difference of opinion was only on the point of the right time to hand over this right to the Indians.

The great poet Rudyard Kipling (1865-1936) was the world famous poet of the British Empire and the messiah of the spiritual superiority of this empire. He has expressed his views in his world famous poem "Recessional", originally published in *The Times*, London, on the 17th July, 1897, on the occasion of Queen Victoria's Second Jubilee:

"Far-called our navies melt away -  
On dune and headland sinks the fire -  
Lo, all our pomp of yesterday,  
Is one with Nineveh and Tyre."

Around 1923, an ICS British officer got a book, *The Lost Dominion*, published anonymously. The *argumentum ad populum* of this book was the same that India is going to slip out of the hands of the British only because the British do not have self-respect and self-confidence. Had the British not claimed to dominate India because of divine will and are here for some time to fulfill their religious duty, and had instead said openly that they have taken India on the point of the sword and will keep it under them on the strength of the sword, then it would

never have been a definite possibility that the British will leave India.

After the mutiny of 1857, the British Parliament or the British Crown held the reins of power directly in its hands, and the royal proclamation issued on behalf of Queen Victoria had these words:

"In their prosperity will be our strength, in their contentment our security and in their gratitude our best reward."

In 1861, the Indian Council Act was passed, in which the Indians were given the right to local self-government. In 1866, some Indians and British well-wishers formed a joint institution, East Indian Association, in London, whose main purpose was to promote the interests of the Indians and to remove the popular fallacies about them. In 1884, the National League was formed in Calcutta and in the same year Mahajan Sabha in Madras and Bombay Presidency Association came up with the intention of propagating the idea that the Indians should have more rights in the administration of their country. On December 27, 1885, nearly 70-80 Indians representing various communities from different parts of the country got together in Bombay, and laid the foundation of Indian National Congress.

This is the National Congress that has had more than two-thirds of India under its rule since 1947 till date.

How the rest one-third of India fell in the hands of the Muslim League and how the Communal Award became the support of the partition is, in fact, the real subject matter of this essay.

In the third annual session of the Indian National Congress, held in Madras, the Muslims under the leadership of Badruddin Tayabji were also included. In this conference some things were said, which cannot be



called improper, but their hidden meanings were improper, that the main motive of the Congress is to bring the government of India and its administration under the authority of an Indian parliament, whose reins would be in the hands of the majority. The farsightedness and sharp intelligence of the Muslims immediately understood that no matter how modern the external structure of this transformation may be and how glorious it might be, in reality, it would be Hindu raj only.<sup>1</sup> To counter this multi-purpose representation of the Indian National Congress, the Muslims set up 'Anjumans' here and there, of which the prominent ones were the United India Patriotic Association and the Joint Indian Nation Bhagat Sabha, whose secretary was the famous patriot Muslim leader Sir Syed Ahmed.

The great personality of Sir Syed Ahmad, his patriotic character and the name of this institution prove the fact that the Muslims had no intentions of breaking away from the Hindus and they certainly did not want the partition of the country. Their rightful and intense desire was only this that when democratic rule is established in India then, under this garb, the minorities should not be throttled to establish Hindu rule.

Interestingly, this is exactly what the Communal Award tried to do. It tried to give this assurance to the minorities, and the fact is that the partition of India took place because the Indian National Congress failed to give this assurance.

The number of Muslim delegates in the annual meetings of the Indian National Congress decreased from 750 to 17, and in 1906, the Muslims laid the foundation of Muslim League in order to secure their rights.

This was the time when a new kind of self-pride was awakening in the hearts of the Hindus — pride in their

community, pride in their religion. Its strong reaction amongst the Muslims was but natural. It was not surprising that the feelings of pride for their community, their religion and their glorious history were aroused in the hearts of the Muslims but what is really surprising is that this awakening was understood by the learned and wise Hindus, and having understood it, instead of supporting it affectionately, they ignored it or tried to defeat it through a cunning policy, and spent half a century doing this. The result of these petty and vicious attempts was the partition of India in which ten lakh Hindus, Muslims and Sikhs lost their lives, about one lakh women were raped, and about fifty thousand girls were abducted. And, this grotesque tragedy was brushed aside with the casual remark, "an error of judgment".

To explain the form of this Hindu pride, it is essential to describe two events of that time.

In 1900, Lord Curzon came to India as the Governor General, and the next year he said in his convocation address as the Chancellor of Calcutta University:

"We have hardly learned to light the lamp of the soul... We have to save the rising generation from walking in false paths and to guide them into right ones."

At that time, a wave was rising among the Hindu youth in Bengal that the sacrifice of European men and women was very dear to Ma Kalika, who is considered the metaphysical form of Mother India. This is the modern and corrupted version of the ancient Vedic manushmedh custom. Looting, sati and child sacrifices were corrolaries of this custom, which the British rulers opposed in India. This blood-thirsty Vedic ideology emerged as anarchism in Bengal. It is obvious that Lord Curzon was referring to this wave. Though there was hardly anything improper in his choice of words in his convocation speech, but a

sudden storm erupted all over among the Hindus in which mature and intelligent people like Dadabhai Naroji were also included. Public meetings were held in Calcutta, Bombay, Madras, Allahabad and Lahore to condemn this 'national insult' to question why Lord Curzon said that the youth need to be guided. Here, it is important to remember that the decision to equate Ma Kalika with Mother India was clearly mentioned in Bankim Chandra Chatterjee's novel 'Anand Math', which was later given a divine philosophical form by Sri Aurobindo Ghose. This was the doctrine propagated by Lala Hardy, MA, in 1910-14 amongst the Canadian Sikhs, and by Bhai Parmanand amongst the Punjabi Sikhs in California. They promoted the doctrine saying that this is the doctrine of pure Sikhism. The simple, gullible, idealistic rural Sikhs accepted this and the foundation of the rebellious movement was laid, and hundreds of devout Sikhs were hanged or spent lifetimes in prisons. Lala Hardy did not even take part in this movement and remained in America, and Bhai Parmanand escaped by just writing a letter of apology from the Andamans. This was the foundation of 'nationalist' Sikhism which emerged from relating religion with community, and then relating community with geographical country, and giving the country a metaphysical, divine status.<sup>2</sup>

This is the background of 'Anand Math', from where 'Vande Matram' was taken which has been accepted as our national song. In 'Anand Math', the use of sacrifice to please the great goddess Kalika that has been promoted is the sacrifice of Muslims and aliens only. The sacrifice of Europeans is an adaptation of the original theory in the 'Anand Math'. The secret behind this widespread protest against Lord Curzon's speech was an expression of their assertion that it was the religious right and duty of Hindus

to murder the Muslims and the British and wipe out their very roots from our country. If this is how the farsighted Muslims looked at it and understood it, then why blame them?

Bal Gangadhar Tilak was the leader of the spirit of Congress nationalism at this time, and if he had not died in the first decade of the twentieth century then he would have been appointed the leader of the Congress instead of Gandhi ji. If you study Bal Gangadhar Tilak's comprehensive and impressive writings deeply, then it becomes clear that he had only two grievances against the Britishers. One, that the British destroyed the Brahmin Peshwas' political power in Maharashtra, and, two, the Britishers' stability in India has been detrimental to the glory of Hindu religious and social ideology. He wanted to throw the Britishers out of India for these two reasons only. Are these two reasons and views not equally lethal for the security and status of the Muslims in united India? On the contrary, even more!

In 1958, when Maharashtra was formed on linguistic basis, then it was proclaimed officially that Shivaji-determined Maharashtra and Peshwa-administered Maharashtra has been revived. It is the same Maharashtra that Shivaji established after defeating the Muslims and the same Maharashtra whose administration was in the hands of the Peshwas which the British had snatched from them.

The real and basic argument against the formation of Punjabi Suba was that this could lead to the revival of the memory of the Sikh empire. The same empire which had not only destroyed the Muslim domination in the greater Punjab, had stopped the invasions of thousands of years in which the best temples and monuments were destroyed, but had given place to the Hindus alongwith the Muslims in their empire. The same empire, which was ultimately

handed over to the Britishers because of the betrayal and deceitful dealings of the petty, selfish, and ungrateful Dogras and Poorbias of Uttar Pradesh! If the revival of the memory of such an empire was not acceptable to the makers of the Constitution of Independent India, then the Muslims' apprehensions, that if headcount was going to be the basis of political power then they cannot exist, are not surprising, baseless or condemnable.

In 1892, the Indian Council Act did not approve separate electoral constituencies for Hindus and Muslims or communal representation. The direct conclusion of this was that the majority Hindu community was not willing to trust any non-Hindu community, and whatever political power that was given had to remain in the hands of the Hindus only. In 1908, when the British Parliament took direct control of the Government of India, when half a century has gone by, the King of England sent a confidence invitation to all the kings of Indian states "to give greater role in administration to the Indians." This is how the Indian Council Act, 1909 was passed, through which for the first time communal electorates and communal weightage became the constitutional basis of our country. This demand was made by late Sir Agha Khan who, heading a delegation of Muslims, had gone to the Viceroy, Lord Minto, because the 1882 Act and experience had proved that the Hindu majority was not prepared to make any such Muslim their confidant who stood for the protection of the rights of the Muslims.

It is said that the British imperialists themselves encouraged Sir Agha Khan to make this demand and fanned the communal idea through 'command performance'.

No unbiased scholar will hesitate to acknowledge that the support and sympathy of British rulers was with

the demand of the Muslims. They believed that it was appropriate for the protection of their fundamental rights, communal electorates and communal weightage, but it is wrong and far from the truth to assume that (1) the British were the originators of this demand, and (2) the Britishers accepted this because of their selfish interests and their 'divide and rule' policy.

We have already stated in the beginning of this essay that the social and religious structure of Islam is unicentral, in which society is eternal and divine law, and such a society which is different from this Muslim unicentral political society is not contrary opposition of Islam but is contradictory opposition, and the state in which such contradictory opposition exists, is anti-Islam and that country is the battlefield. From these ideological seeds, it seems natural that communal electorates and communal weightage were born, and it does not seem right to blame the Britishers for it. As for encouraging and nourishing this demand is concerned, putting the entire blame on the Britishers is also improper. As already stated the basic social structure of the Hindus is also concentric plural society which does not give any respectable status to the Islamic society unless it gives up Arabic traditions, or social traditions of food, dress etc. This and the exclusiveness and selfishness that emerged out of it are the main causes of strengthening this demand of the Muslims and keeping it alive. Examples of it have been given above.

Before the advent of the British in India, during the seventeenth and eighteenth centuries, several attempts were made to get India out of this complex dilemma, over a period of full two centuries. One of them was totally rejected by both the Hindus and Muslims, and attempts were made to destroy the other with the Muslims' political power, but failed, and which is now being denied

by Hindus' fraudulent, cunning and shrewd diplomacy. These two attempts refer to Emperor Akbar's plan of Hindu-Muslim co-existence and understanding of the Sikh multi-central or plural society.

It would take a much bigger book to give a detailed explication and discussion of the above mentioned enigmatic theory and thought. Therefore, it is attempted to explain it with simple assertions only.

The beginning, middle and end goal of Islam is to establish a widespread, geographical Islamic society, convert all the men and women of the world into Islam and subordinate the estates and kingdoms of the world under the Khalifas of Islam. In the beginning of the twentieth century, a so-called Khalifa was the emperor of Turkey, who was defeated in 1919 in the First World War and a portion of his territory was annexed. This infuriated the Muslims in India because destroying the authority and honour of the Turkish king was a direct assault on the fundamental plan of Islam. But, why did the Congress Hindus and Mahatma Gandhi join the Khilafat Movement, non-cooperation movement, is not clear.

The sixteenth century can be called the zenith of Islamic glory and political dominance when Emperor Shah Tehmas ruled in Iran, Emperor Akbar in India and Uzir Sakoli in Kastuntunia. When Shah Tehmas and Uzir Sakoli were assassinated, Emperor Akbar got the brainwave to centralise Islamic rule in India. With this view, he issued this sermon in his name, which was prepared by Abul Faidi:

"The mind is incapable of praising and describing all that God has bestowed on me, which is this kingdom, the light of wisdom, and strength in my hands, made me walk on the path of justice, and absence of all thoughts of injustice in my mind. This purest light is almighty Allah."

By getting a sermon read in his name, Akbar virtually equated himself to the Khalifa-u-Islam and acquired his status. Perhaps, the fanatic Muslims of India may not have got worked up and may not have blamed Akbar for calling himself Allah-hu-Akbar, or 'Akbar is God' in this sermon. Akbar has not claimed to be God in this sermon anywhere. This was picked up years later by a Hindu Pundit, Jagannath Mishra who suggested to Shahjehan that a Mughal emperor is equal to God. The line on which the intellectuals and fanatics got worked up was actually this: "...and absence of all thoughts of injustice in my mind." Akbar understood and now, the entire objective world agrees with him, that it is unjust and against the laws of justice to unite and form a totalitarian society of diverse communities with the power of the sword or political power.<sup>3</sup>

The moderate and farsighted Akbar had realised that just as Hinduism and the great Hindu community could be absorbed in Islam, similarly, the Muslims cannot be included in governance as real first rate citizens peacefully and for ever. Having accepted this, his policy was to give the Hindus citizens' rights, without discrimination in the ideal of Muslim society. And, on these lines, the foundations of the Mughal Empire and Islam should be secured. This policy of appeasement<sup>4</sup> was considered Akbar's unforgivable sin in the eyes of orthodox Muslims, and they opposed it tooth and nail.<sup>5</sup> Its outcome was the policies of Shahjehan, Jehangir and Aurangzeb, whose foundations had the blood of bright young princes like Dara and Khusro in them. The establishment of the Sikh Empire in North-west India, the revival of the Maratha kingdom and the Hindu political domination in the rest of India was the reaction to this Islamic policy only.

Sikhism spread in the country along with the advent



of the Mughals in India. The fundamental problem of Mughal imperialism was strengthening the roots of the Mughals and Islam in India. The fundamental problem of Sikhism was to create an eternal harmony between the Aryans of Semitic culture and ideology. The solution that Sikhism suggested for this problem born out of the conflict between Islam and the Aryan psyche in India, was based on the following principles: (1) uniformity between Islamic or Semitic and Aryan consciousness, (2) Islamic Shari'a and Hindu caste system is not a part of this consciousness, on the contrary, are despicable for the sake of its pure duty, (3) right doctrine is not the totalitarian society of sociology, as the Hindus and Muslims believe, but multi-central and plural society are more practical. (4) The stability of the nation is not a totalitarian society but the freedom and honest cooperation of its citizens and social entities. The analysis of the social and political principles of Sikhism boils down to the analysis of these four principles only.

It will take another book to elaborate on the differences between a non-totalitarian or plural society and a totalitarian society and the principles on which they are based.

But, this principle is the essence of man's endeavours and struggles from the beginning of time and the history of the whole world.

A totalitarian society seeks to have control on the freedom of human beings only through political power and terror. It seeks to subjugate the human spirit and exert control on every human sentiment, thought, desire, ambition and dream of man, and make them slaves who have no individuality of their own and who cannot think for themselves, so that they would never even dream of getting out of this state of abject subjugation.

On the other hand, a plural society is based on the principle of accepting the right of an individual to freedom and considers the State to be merely a human organisation which has no right to destroy the human freedom through terror and oppression.

The Islamic totalitarian society that Mujaddid Alfathani wanted to establish through the power of Jehangir's sword, and against which the Sikh Gurus and the Sikhs made exemplary sacrifices, was actually a prototype of the Christian society only, which had emerged and had been established in Europe about a hundred years before the birth of Islam. The Christian society is an exclusive society of the Christians, where no non-Christian can demand or get equal rights. The doctrines of Christian society had been well established that, firstly no non-Christian can enter the Christian society, but if they do, then they will have to adapt their religion, their conduct and life style in such a manner that the Christians would have no complaint about it. And, such non-Christians should never dream of being equal to the Christians and should accept that they are inferior to the Christians in all respects. They should accept that they would not be given the same rights that the Christians enjoy and consider themselves to be the lesser part of the Christian society. For their livelihood, they can take up only such professions which are granted to them. They should not aspire for high posts in the government or get recruited in the army. They would be subordinate to the Christians in whatever they do. Thus, they would spend their entire life in slavery, humility and inferiority.

Islam adopted this doctrine of society establishment exactly as it was.

This was the kind of Islamic society that Mujaddid Alafthani wanted to establish through Emperor Jehangir

in India with the power of the sword. And Aurangzeb created a new constitution 'Fatavaye Alamgiri' to give the final shape to the structure of 'Ash-Sharia Tehtas Saif', the Islamic society.

The Sikh Gurus started their struggle against this unjust, oppressive and unequal society in the middle of the seventeenth century. They declared that this kind of rule of oppression will not be allowed to exist because it is against the Divine Will. "*Hun hukam hoya meharvan da pai koi na kisse rijhan da.*" In 1699, the creation of Khalsa was a direct declaration of war against this oppression, and as a result of which the Islamic society was finally buried in the middle of the eighteenth century.

In Europe, such a totalitarian society was rejected at the end of the eighteenth and beginning of the nineteenth century at the time of the French Revolution.

Islamic Shari'a and 'Ash-Sharia Tehtas Saif' are prototypes of a totalitarian society, which was strongly opposed by the Sikh Gurus, and without understanding its background and the philosophical doctrine behind it, it is not only difficult but impossible to understand the history of India in the seventeenth and eighteenth centuries.

This narrative of totalitarian society and plural society has taken the form of a basic and complex problem in the twentieth century and will do so in the forthcoming twenty-first century.

What was the face of this Islamic totalitarian society which the Mughal emperors, according to the 'Ash-Sharia Tehtas Saif', tried to establish in India at the point of the sword in the seventeenth century, and the Sikh Gurus, the sahibzadas and lakhs of Sikhs sacrificed their lives to oppose it? Had the Sikh Gurus and on their behest lakhs of Sikhs not sacrificed their lives to oppose this horrendous attempt of the Mughal emperors, then the

social state of India would have been what the Sikh historians have hinted at and what Bhai Santokh Singh has described in his book *Gurpartap Suryaunday*:

*"Chhaye jati ekta anekta bilaye jati  
Faelti kuchilta kateban Quran ki.  
Devi dev deval Santokh Singh door hote  
Hoveti alop katha bedan puran ki."* etc.

However, the frightening face of this Islamic totalitarian society is more accurately portrayed by a contemporary scholar. Zia-ud-din Baruni was a contemporary of Sultan Alla-ud-din Khilji (death 1316), and he has written an authentic eyewitness account of his times in his Persian book *Twareekh-Farezshahi*. He writes that Sultan Alla-ud-din was not a fanatic Muslim.

One day, he wanted to ask the world famous Islamic scholar Qazi Magithaddin Bianwi answers to some complicated questions according to the Shari'a. Since the emperor had not paid heed to the Shari'a all his life, the Qazi was apprehensive and he said, "I will give the correct answers to Your Majesty's questions, but they will be against the wishes of Your Majesty and I will be executed." The Emperor said, "You give the answers according to the Islamic Law. Truth has nothing to fear."

The first question that the Sultan asked was: "Which Hindu is called 'Kharaz-guzar'?" The Qazi replied, "According to the Shari'a, the Hindu, who pays in gold when asked to pay in silver, without delay, and when the collector spits in his mouth he opens it willingly and looks after the collector properly, is called 'kharaz-guzar'." Khuda has said that in order to insult the Hindus "they should be kept in deprivation." Because the Hindus are bitter enemies of 'Rasul Karam', order has been given to confiscate their possessions and make them slaves so that either they convert to Islam otherwise they will be killed

or made slaves. The order of Islam for Hindus is: "Ama al katl va ama al-Islam." It means either they should become Muslims or they will be killed. The Emperor said, "I have already frightened the Hindus so much that if I tell them they will go into their holes like rats... I have made such arrangements that other than eating two meagre meals a day they will not have the chance to amass wealth or property."

This was the totalitarian Shari'a society against which the Sikh Gurus crusaded to protect their own interests and those of the Hindus.

It was to establish and protect these principles that the fifth master, Guru Arjan Dev, eighth master, Guru Harkrishan, ninth master, Guru Tegh Bahadur, and tenth master, Guru Gobind Singh sacrificed their lives, and Guru Hargobind and Guru Har Rai lived their lives in dire circumstances, and many Sikhs and the Sahibzadas were martyred.

The history of India in the sixteenth century can be summed up in the request of the Mughal princes, Khisro and Dara Shikoh only. And, the result was the emergence of the inglorious Muslim rule in the eighteenth century.

Behind this one millenium of bloody rule was one man about whose great spiritual prowess and political importance no historian has written in detail and no one knew much about him. This man was Sheikh Ahmad Sirhindi, Mujaddid Alaf-thani (Saviour of Islam in the second millenium) (1561-1624).

Extremely saddened and angered by Akbar's "absence of all thoughts of injustice in my mind" Sheikh Sirhindi got the divine knowledge that the state of Islam in the second millenium had become deplorable, therefore, a saviour (mujaddid) was needed to revive the Islamic religion. Then Sheikh Sirhindi got the divine order that he

was appointed the mujaddid (saviour) of Islam in the second millenium.

By the end of Akbar's rule, Mujaddid started the promotion of the revival of Islam in a series of letters and lectures. Most of these letters, addressed to the Mughal officialdom, are written to Sheikh Farid Bukhari, who was given the highest post of "Muratzakhan" and the title of "Chheh Hazari" by Emperor Jehangir as soon as he came to the throne. This Muratzakhan was a devout follower of Mujaddid and he was the one who had taken the steam out of Prince Khisro's revolt. Khisro had great faith in the Sikh Gurus and was keen to establish the plural society envisaged by the Gurus. Emperor Jehangir had handed over Guru Arjan to Muratzakhan to torture him and kill him.

Guru Arjan was well aware of this situation and the plot and he fearlessly expressed his sympathy with Khisro and aligned with him. Guru Arjan's challenge to Mujaddid, Muratzakhan, Lalla Begh etc is recorded in the Guru Granth Sahib to say that such sins will not be acceptable in the divine court. "*Hun hukam hoya meharvan da pai koi na kisse rijhan da.*" (Srirag) Actually, it was Mujaddid who had planned the martyrdom of Guru Arjan. There is no doubt about that. In fact Mujaddid had taken a promise from Jehangir even before he sat on the throne that he would wipe out the Sikh community who was in favour of establishing a plural society. Jehangir says in his *Tauziq* that "I had been contemplating for a long time to either end this 'shop of falsehood' (Sikhism) or include the Sikh Guru in the Islamic fold." He was referring to this promise only which he had made to Mujaddid, before the demise of Akbar, and the same promise that Mujaddid extracted from him before he helped him capture the throne of the Mughal Empire. It was the same promise

that Murtza Khan and other tall leaders who were disciples of Mujaddid and supporters of his Islamic politics took from him.<sup>6</sup>

An in-depth study of Mujaddid's "Maktubat-e-Amam-e-rabbani" leaves no doubt that till the time Jehangir had not fulfilled his promise by martyring Guru Arjan Dev, Mujaddid was extremely restless, because until and unless Sikhism was thwarted it was not possible to establish Islamic rule and a totalitarian society in India. He was of the opinion that "If the roots of Islam can be strengthened in India as soon as the emperor takes to the throne, it will be wonderful; but if it does not happen and there is delay then there will be much trouble later on."<sup>7</sup>

"Now that the emperor has no sympathy with the qafirs (non-believers), it is very difficult for Muslims to tolerate the prevailing non-Islamic customs and traditions."<sup>8</sup> The first letter is addressed to the same Lalla Beg who had suddenly attacked the sixth Sikh Guru, Guru Hargobind in 1631, during the reign of Shahjehan, near Gurusar Nathana, with his six thousand strong cavalry, with the intention of killing the Guru and wiping out the Sikh faith. However, in that battle, he was killed along with his 2500 horse riders.

On the other hand, there were times when Jehangir would get terribly upset by the growing familiarity between Mujaddid's Indian Muslims, and especially the soldiers that he had ordered Anirai Dalan to imprison Mujaddid in the Gwalior Fort, (Tauziq, 293) Nonetheless, it is obvious that "the ultimate source of Jehangir's excesses on non-Muslims and his dogmatic Islamic views was Mujaddid only."<sup>9</sup>

The same is true about Shahjehan as well.<sup>10</sup> In fact, the policy that Aurangzeb followed all his life was also motivated by Mujaddid only and Aurangzeb was merely

an instrument to implement it. When Khwaja Alam, Mujaddid's third son, inherited the throne of Shaikh Sirhindi, Aurangzeb was a young prince and Subedar of the South. And Aurangzeb had become the disciple of Khwaja at that time only, and for the rest of his life he took instructions from his son, Khwaja Muhammad Saifuddin in the South to attain enlightenment as well as seek guidance to run the country on Islamic policies. There is no doubt that the voice, the real power that dictated Aurangzeb's political policy from backstage was that of Mujaddid only.<sup>11</sup> Obeying this voice, Aurangzeb had summoned Guru Har Rai to Delhi and tried unsuccessfully to eliminate him. Again, obeying the same voice, he brought Guru Harkrishan to Delhi through Raja Jai Singh, and the young Guru chose to embrace small-pox as an excuse to keep Aurangzeb at bay and then willingly embraced death. It was in accordance with the same voice that Aurangzeb ordered the beheading of Guru Tegh Bahadur.<sup>12</sup> Furthermore, Jamshed Khan, the Sirhindi Pathan who dealt a fatal blow on Guru Gobind Singh, though a servant of Wajeed Khan, was a devotee of Mujaddid's legacy. Wajeed Khan, the Nawab who gave orders to brick the younger Sahibzadas of Guru Gobind Singh in the walls in Sirhind, was also a devout follower of Mujaddid who took instructions from Mujaddid on a daily basis and at every step. To sum up, all the incidents that took place from the time of Guru Arjan Dev's martyrdom to the times of Guru Gobind Singh and the efforts that were made to eliminate the Sikhs were planned and motivated by the Shaikh Ahmad Sirhindi, Mujaddid Alaf Thani only. To look at it in any other way is ignorance. The motive and objective behind all these efforts was to stop the influence of pluralistic socialism and establish a totalitarian Islamic society. The poet, Bhai Santokh Singh



(1785-1843) has hinted at this phenomenon when he says that Guru Gobind Singh did not allow the dream of Islamic totalitarian society to be fulfilled otherwise the society would have come under the Islamic influence with no scope for plurality or diversity to exist.

When the Sikhs, under the leadership of Banda Singh Bahadur, took over Sirhind in 1710, Khwaja Kamaluddin, the heir of Mujaddid's legacy, fled to Delhi and settled there. Again, in 1716, when Farukh-siyar gave a fresh order for the massacre of Sikhs, it was the voice of Mujaddid that was being followed. The defeat of the Marathas in 1716 and the greater holocaust of 1762 of the Sikhs were attempts of Ahmad Shah Abdali to eliminate them from the very roots. Ahmad Shah Abdali had been invited by Maulvi Shah Waliullah who was a devotee of Mujaddid and who professed that Islam should rule over India. His father Shah Abdul Rahim was one of Aurangzeb's organisers and implementers of establishing the Islamic Law as supreme so that non-Muslims would be subordinate to Muslims. This Shah Waliullah Dehlvi (born in 1703) had been educated in Arabia and had the great scholars like Shaikhulsanavi and Tajuddin Halfi as his tutors. This Waliullah is the creator of the new principle of Jihad in Indian Islam, whose main aim is not to give the reins of political power in the hands of non-Muslim qafirs, and make sure it never gets to them in the future. This is the religious doctrine. Waliullah wrote letters to Najibullah Rohela and Tajuddin Baluch to eliminate the rule of Marathas and Jats. In these letters he has explained the concept of Jihad in detail when he writes that "Allah has already determined the defeat and destruction of political power of the qafirs, and it is the Islamic duty of Muslim rulers to do jihad in order to destroy the non-believers." In 1716, in the battlefield of

Panipat, Abdali and Najib Rohela got together to break the backbone of the Marathas. This was in accordance with the doctrine of jihad, and the practical manifestation of the doctrine of jihad.<sup>12</sup>

When the Sikh Empire was established beyond the western frontiers of Attock, the main adversary was Syed Ahmed Brelvi who kept creating trouble in the Sikh kingdom from 1825 to 1831, in the Sikh state of Peshawar. He ultimately died in the battle of Balakot, which the Sikhs had renamed Sumergarh on May 7, 1831 fighting against the Sikh army. This Syed Ahmed Brelvi was the son of Shah Waliullah and the devoted disciple of Mujaddid and a follower of Abdul Aziz. He was the most prominent organiser and preacher of Jihad against qafirs of Indian Islam, especially the Sikhs.<sup>13</sup>

After 1857, the British rule over undivided India became stable. Nearly a quarter century later the question of giving Indians a right to participate in governance of their country arose and the same problem cropped up. At that point of time when the foundation of the Indian National Congress was laid, Sir Syed Ahmed (1817-1898), the leader of the Muslims, raised an objection against the rule based on headcount. He said it was a fraud against the Muslims and would never be acceptable. Sir Syed Ahmed is the pioneer leader of the Muslims in the current situation who propagated that Hindus and Muslims are two different communities living in India.<sup>14</sup> "Hindus and Muslims are two eyes of the Indian community," was a very famous quote of Sir Syed Ahmed. Around that time, he had addressed the Britishers in a huge gathering in Lucknow, and said, "If you want India to come under the rule of the Bengalis and all Indians to become subservient to the Bengalis, then, in the name of God, you should leave India through Madras."<sup>15</sup> It was Sir Syed Ahmed only

who laid the foundation of the partition of India in 1947. The family of Sir Syed Ahmed had been devoted to Mujaddid for generations; they had blind faith in him and were devout followers of him. So much so, he was given the name Ahmed after Ahmed Mujaddid only, with the belief that the newborn baby would become a staunch Muslim and a follower of Mujaddid's ideology.

Finally, when the Britisher's time in India neared its end, it was Dr Sir Muhammad Iqbal who laid the philosophical foundation of the dream of Pakistan. It was Iqbal who for the first time elaborated the idea of Pakistan in 1930 when he spoke in the annual function of the Muslim League, which became the irrefutable argument for establishing Pakistan.<sup>16</sup> In March, 1940, the resolution was passed and the philosophical foundations of Pakistan were laid in the Annual Meeting of the Muslim League in Lahore.<sup>17</sup> This Sir Muhammad Iqbal was a great devotee and believer of Mujaddid, and he honoured Mujaddid as the pole star of the spiritual energy of Islam in India.<sup>18</sup>

What were the philosophical doctrines and social and religious ideologies of this Shaikh Ahmad Sirhindi whose electrifying energy has overshadowed the history of India for the last four centuries, and is the motivating force even today and will be influencing the coming centuries too?

Answer to this question is necessary and appropriate.

There are two ideological sects or 'religions' of Sufism of Islam and more than two dozen 'silsilas'. Shaikh Sirhindi Mujaddid was a preacher of one Sufi sect in India and he strongly opposed the other sect. The political conflicts that existed in the Mughal Durbar were actually bitter struggles between the two Sufi sects. These conflicts started in the beginning of the 17th century, at the time of Guru Arjan Dev's martyrdom, when Mujaddid was on one side and Hazrat Mian Mir on the other side. Indeed,

this conflict involved the history of Sikhism, from its rise to its culmination.

What is the difference between Islam and Sufism?

Some scholars<sup>19</sup> believe that Sufism was founded by the follower of Hazrat Muhammad who differed with him on the assertion that he was the last prophet in the world.

There can be a difference of opinion whether Sufism is born out of the soil and environment of Quran Sharif only. But there is no question about the fact that the two pillars of Sufism are based on the personal life of Hazrat Muhammad. These two pillars are: one, to discard all the rituals and know the hidden truth behind them; and, two, to pray to the Almighty God directly. Hazrat Muhammad himself used to go to Mecca every year and meditate in a cave called 'Hirra', and about seventy of his Muslim saints used to live in his private mosque 'Ahil Sufa'. These saints had renounced the world completely and were immersed in the name of God day and night. Out of Hazrat Muhammad Sahib's four friends, two were known as enlightened saints. These two were Abu Zar Giffar (death 652) and Huzaifa (death 657). For three centuries after the death of Hazrat Muhammad Sahib (632), Sufism kept evolving and spreading within Islam. It was only in the tenth century when Mansoor Hillaj (death 921) declared that 'God and the soul are one' openly and uttered the great truth Anal Haq that Islam and Sufism came to a head-on confrontation. As a result, Mansoor was tortured and stoned to death. Prior to Mansoor, there were many great Sufi saints, such as Imam Hassan Basri (death 728), Ibrahim Bin Adham (death 777), and Rabya (death 776). Besides, there were many others who were great scholars like Mauruf Kurkhi who interpreted the concept of meditation, Sarri Ulsakti (death 870) who preached non-duality, etc. However, after the torturous death of

Mansoor, Sufism had to keep up its guard and lie low so that no such statement should slip out of their lips that may be questioned that Sufism is not in accordance with Islam or it opposes Islamic Shari'a or ritualism.

As a result of this Islamic tyranny and oppression, Sufism had to invent two props for the sake of survival and self-protection. The first was to stop the interpretation of any such issues or matters in the Quran that were in conflict with the Sufi understanding in the prevalent language. Consequently, a new terminology became popular, which included words like 'sharab', 'saqi', 'maikhana', mausam-e-bahar', 'mashuk' etc. to preach the Sufi principles. An example: "Alcohol pleases the heart and the spring season brings a soft breeze. There is a light drizzle on the grass but stop the music of the veena while drinking otherwise the Islamic tyranny will assault you. Hide the cup of wine under your cloak. Don't you see the wrath in the eyes of time? The red hot blood is oozing out incessantly."

The second prop that Sufism adopted to ward off the tyranny of Islam was to prove through philosophical interpretation that Sufism was according to the tenets of Quran Sharif, and that Sufism was not against the Islamic ritualism, instead it supported it. In the thirteenth century, there came three great personalities who gave Sufism the character of a vibrant philosophy and a complete methodology. These three enlightened personalities were Shaikh Muhy-uddin-Ibin-Arabi (1165-1240), Shaikh Shihabuddin Suharhvardi (death 1234), and Mallaneh Jalaluddin Rumi (death 1273).

From among the many books of Ibin-Arabi, two books are world famous: *Fatubat-Mecca*<sup>21</sup> and *Fisusal-Hikam*<sup>22</sup>. In these books, the great scholar has explained the ultimate truth which is similar to the Mool Mantra of

Gurbani. He calls it 'Wahdatlavjud', which means it was, is and ever will be. *Aad sach jugad sach hai bhi sach Nanak hosi bhi sach*. After composing the Sukhmani up to the 16th canto, Guru Arjan Dev ji went to pay homage to Baba Sri Chand and asked him to give directions for the 17th canto. Then Baba Sri Chand meditated for a while and realising the current problem of India repeated the same lines from the Mool Mantra. Thus, the interpretation of the concept in the 17th canto is the same as is the concept of 'Wahdatlavjud'.

*Darshan sat sat pekhanhar  
Naam sat sat dhiyavanhar  
Aap sat sat sabh dhari...*

The same concept is given in the Upanishads, which proclaim that the Creator and Creation are not separate.

The philosophical doctrines of Ibn-Arabi had reached India soon after his death through the Persian poet Iraqi (death 1289). They had a deep impact on the emperors of Delhi, Sultan Muhammad-bin-Tughlak and Feroze Shah Tughlak, which affected their political policies as well.<sup>23</sup>

He writes in the first chapter of his book *Fasusalihikam*:

"Man's relation with God is the same as the relation between the pupil of the eye and the eye. Just as sight is dependent on the pupil God looks at the creation through man... Man is mortal and immortal simultaneously. Man is the word who is responsible for the division of various things in the world and at the same time he is the unifier also. It is man who creates the word also. Man is responsible for the protection of the creation. So long as man exists in the world creation is safe."<sup>24</sup>

Ibn-Arabi has propounded a novel idea that man is not so eager to know God as God is keen to know man.

No one else has ever explained the concept of God's desire to know man as beautifully as Ibn-Arabi has. There are hints about this idea in the Guru Granth Sahib as well. "*Main gunnbandh sagal ki jeevan, mera jeevan mere das.*" Abdul Karim Aljili (1365-1417) has elaborated and analysed Ibn-Arabi's concept in detail in his book *Al-Insanul-Akmal*, which brings to mind the picture of Khalsa as envisaged by the tenth master, Guru Gobind Singh:

*Khalsa mero roop hai khas  
Khalse meh hau karo niwas  
Khalsa mero ishat ar birad  
Khalsa mero sakha suhirad*

Emperor Akbar's royal scholar Abul-Fadal (1551-1602) has written in his world famous book *Aiyan-e-Akbari*<sup>25</sup> that at that time there were fourteen silsilas or deras of Sufis in India, in which he includes the Suharehvardi and Chishti deras too. There were no theological differences in these deras in India and those abroad; however, there were differences in the methodologies. Suharehvardi and Chishti deras were prominent for their different ideologies. Suharehvardi deras were in Sindh, Punjab, Multan and Uchch Sharif. And Chishti deras were in Ajmer, Narnol, Nagor, Mandal, Ajodhan in Punjab, but later they spread to Uttar Pradesh, Bihar, Bengal, Assam and to the South of India. So long as the differences were about methodologies only, Sufis were close to the Sikh Gurus, the Sikh masses and Sikhism. Since the Muslim rule in India was based on these principles of Sufism, there was no direct occasion for confrontation between the Sikh Gurus and the Muslim rulers. But, when Shaikh Sirhindi Mujaddid brought in the fanatic elements into Sufism and the Muslim rulers adopted the doctrines of Mujaddid then there was direct

confrontation between the Sikh Gurus and the Muslim rulers.

Before we try to understand the doctrinal differences of Mūjaddid, it is necessary to understand the methodology of Suharehvardis and Chishtis.

According to the Suharehvardi doctrine, the seeker needs to adopt Islamic law and follow the Islamic tradition in order to attain spiritual knowledge. Without it, leave alone attainment of truth, even the first step on the spiritual journey is not possible. The Pir of Uchch Sharif, who was the propounder and preacher of this doctrine, had great love and devotion for Guru Nanak, and it is said that Guru Nanak's sandals are kept in an honourable place in Uchch Sharif till date. Shaikh Bahauddin Auliya (1182-1262) was born and brought up in Kot Aror (Multan) and he had been initiated into the Sufi faith in Baghdad by Shaikh Shihabuddin Suharehvardi. Shaikh Bahauddin was a prominent master of the Suharehvardi silsila. His main teachings were that renunciation and austerities were not the path for prayer and attainment of divine knowledge. Devotion and prayer must be done while fulfilling your worldly duties and taking care of the body. Guru Nanak's teaching also corroborates the same principle. The founder of the Uchch Sharif dera was the follower of Shaikh Bahauddin, Syed Jalaluddin Bukhari (death 1291), who had restrained his followers from worshipping the graves of the Pirs, and had ordered the disciples to greet the master with the salutation 'Aslam-u-lekam'. Guru Gobind Singh also instructed the Khalsa to greet the Guru with 'Waheguru ji ka Khalsa, waheguru ji ki fateh', and not to touch the feet of the Guru. Guru Gobind Singh's first epistle addressed to Aurangzeb, 'Fatehnama', was sent through Bhai Daya Singh, who disguised himself as a Pir with the help of Ghani Khan and Nabi Khan. He was



cornered by a contingent of the Mughal army when he left Machhiwara, who were actually on the look out for Guru Gobind Singh. Then, according to the Guru's instructions, which had been given keeping such an exigency in mind, Ghani Khan Nabi Khan called him "Pir-e-Uchch", because the Sikhs had warm and intimate relations with the dera of Uchch Sharif, and this claim of being a Pir was not considered baseless. Syed Hasan Ali of Manumajra had taken an oath on Quran Sharif to confirm that this Bhai Daya Singh was not Guru Gobind Singh himself. That is how Bhai Daya Singh was released and was successful in reaching Guru Gobind Singh's 'Fatehnama' to Aurangzeb. The authentic holy book of this Surehvardi ideology is *Fuayedulfalad*, which has Shaikh Nizamuddin's discourses in it. The line in Gurbani '*Aakha jeevan visareh marr jao*' has an exactly similar line in this Sufi book.

The basic difference between the Chishti silsila and Surehvardi silsila is that they say and believe that the main path of attaining divine knowledge is through purifying the soul and not by obeying the Shari'a. A pure and noble soul is automatically bound to the Shari'a, therefore, it is improper and prohibited to impose Shari'a on the seeker.

During the period when the Sikh Gurus came in direct confrontation with the Islamic government of the Mughal emperors at the time of Guru Arjan Dev, Hazrat Syed Mian Mir, the great master of the Chishti silsila stood by the Sikh faith and on the request of Guru Arjan Dev laid the foundation stone of Harmandir Sahib with his own hands. The famous Pir of Sador's Sufi dera Pir Syed Budruddin (known as Buddhu Shah) offered all his four sons and later his entire family to Guru Gobind Singh. They were all martyred in the battles. Pleased by his supreme sacrifice, Guru Gobind Singh told him to ask for a boon. He asked for a few strands of the Guru's hair

in the kangha (comb). Nand Lal Goya wrote, "*Har du alam keemat-e yak tar muye yar ma.*" One strand of my beloved's hair is more precious than the treasures of two worlds!

The relations of the Sikhs with the Sufis were that profound, that strong and that fundamental. How such strong bonds were broken because of which the Sikhs fought a do-or-die war with the Mughals and the sparks of which finally led to the partition of the country in 1947 and claimed the lives of millions?

The narrative of Shaikh Sirhindi holds the answer to this question, which we have hinted at in the previous pages and will dwell on in more detail in the forthcoming pages.

We have already said that the Surehvardi and Chishti deras had predominant influence in India. These silsilas had originated in Iran, and their motto was to 'go along with everyone in harmony'. They believed in one God and non-duality. Khwaja Muhammad Bakibilla Berang brought the Nakshbandhi silsila about five years before Akbar's death. This silsila also believed in the principle of one God but these Sufis were devout followers of the Shari'a.

Mujaddid, who was the prestigious follower of Khwaja Bakibilla, turned this principle of the Sufis upside down, which led to the closing of all doors of any kind of affinity and cooperation between the Muslims and non-Muslims in India.

Another dreadful tradition of the Nakshbandhi silsila was not to propagate their faith directly among the masses, but to influence the rulers and then impose their faith with the power of the sword, leaving no choice to the subjects.

The three causes of the change in the structure of

Islam in India were: (1) rejection of the principle of 'wahedatalvajud', (2) acceptance of Shari'a as the only and best path of prayer, and (3) using the political power to impose this form of Islam, because of which the Sikhs came in conflict with the Islamic rulers.

Khwaja Bakiballi was born on July 12, 1564 in Kabul. His real name was Raziullah but became famous as Bakibilla. He took initiation from many masters to seek spiritual enlightenment and went on many pilgrimages in the Middle East. Finally, he became the disciple of Amir Abdula Balkhi. Then he travelled to Kashmir and Delhi seeking enlightened Pirs in the Sufi shrines. Ultimately, he took refuge at the feet of a renowned Nakshbandhi Sufi Pir, Khwaja Amakangi in Bukhara, who gave him permission to go to India and preach Islam. Thus, he came to Delhi and after four or five years of preaching he died on November 30, 1603.

Mujaddid has recorded the following statement of a well-known Nakshbanhi Pir Khwaja Ubedulla Ahrar in many of his letters:

"If the purpose of my life was to become a Pir then no Pir would have found a better pupil than me. But, I have been assigned a different duty which is to protect the Muslims from the sinners. This objective can be achieved only with the help of the emperors. Our main obligation is to interact with the people who hold political power, bring them under our influence and then use them for the protection of Muslims."

Khwaja Bakibilla had started using this style of religious propagation in the Mughal Durbar during the last few years of Akbar's reign. His letters written to his disciples that have been preserved are mostly addressed to Nawab Murtza Khan Sheikh Farid. Murtza Khan is the same man who had extracted a promise from Jehangir that

he would eliminate Guru Arjan Dev. He is the same man who was given the task to torture and kill Guru Arjan Dev by Emperor Jehangir. It is important to remember that Guru Arjan Dev was martyred in 1606, on the order of Jehangir, by Murtza Khan, in Lahore, when Murtza Khan had been appointed the Subedar of Gujarat, and he had no connection with the Subedari of Lahore, where Guru Arjan Dev was tortured and killed. Murtza Khan was appointed the Subedar of Lahore in 1611 and he died in 1616 in Lahore.

In 1606, at the time of Guru Arjan Dev's martyrdom, the Subedar of Lahore was Kaleech Khan of Turkish origin.

Mujaddid was the most revered follower of Bakibilla who had established complete control over the religious policy of the Mughal administration, and the shadow of his influence on India's Islamic politics looms large till date, three centuries later also.

Hazrat Mujaddid was born on June 26, 1564 in Sirhind. His name was Ahmad and his titles were Badruddin Birad, Abul-barkat and Al-Amam-e-rabbani.<sup>26</sup> His father, Shaikh Abdul Ahad was a great scholar and Mujaddid received his elementary education at home only. Then he studied under the renowned scholars of Syalkot, Kamal Kashmiri and Yakub Kashmiri. He received his religious education from Qazi Bahlol and Qazi Bezavi, well-known Islamic scholars. From there he proceeded to the capital of India, Akbarabad. Here he came in contact with Abul Fadal and Faidi, the eminent personalities of the powerful Akbar Durbar who came under his influence. A couple of years later, his father brought him back home from Akbarabad and got him married on the way to the princess, the wealthy Shaikh Sultan's daughter, from whom he got a hefty dowry. In Sirhind, Mujaddid built a

mansion and a mosque for his stay. His mausoleum stands at that spot now. In 1599, Shaikh Ahmad was on his way to Haj when he came in contact with Khwaja Bakibilla in Delhi, and there he stayed on after becoming his disciple. He practised austerities and attained enlightenment through his spiritual efforts. Khwaja Bakibilla had a very high opinion about his Sirhindi disciple. He wrote in one of his letters:

"Shaikh Ahmad Sirhindi is a great scholar and puts his learning into practice. I have been in his company for some days. I am deeply impressed by his spiritual light. He is the kind of religious lamp that will light up many people."

Khwaja Bakibilla directed Shaikh Ahmad to stay in Sirhind and preach. Though he kept coming to Lahore, Delhi and Agra off and on, the centre of his religious activities remained Sirhind only.

By the time Jehangir came to occupy the throne of the Mughal Empire, Shaikh Farid Murtza Khan had become a powerful courtier of the Mughal Durbar, which is why he exerted a great influence on everyone. By 1619, Shaikh Sirhindi's followers had spread not only all over India but even beyond the frontiers of India right up to Afghanistan and Turkey. During this time, one of his very enthusiastic disciples, Badi-ud-din, had gone to Shahi Lashkar to preach, where he said a few things out of turn because of which Jehangir put Mujaddid behind bars in the Gwalior Fort, which has already been described earlier.

This was the time when he claimed to be the Mujaddid or protector of religion, and created the doctrine of 'Wahedatalshahud' as against the prevalent Sufi doctrine of 'Wahedatalvujud'.

There has been a lot of controversy and debate on

what he has written in his article number 11 in the anthology of his writings, during his lifetime as well as afterwards, amongst the Muslim scholars. In this booklet he has written about the miracles of his state of samadhi:

"I have seen many worlds beyond this world. When I went beyond the first universe to the higher realm I realised that Hazrat Zia-ul-nurin lived there. Other khalifas also come and go... then another world appeared. And I found out that Hazrat Faraku lived there... And beyond that was the world of Hazrat Sadiq. I even reached the place where Hazrat Mohammad Sahib resides. There was no other world visible beyond this world..."

Shaikh Sirhindi based his claims of being a Mujaddid on such miracles of attainment, but his disciples firmly believed that Shaikh was the 'qayum', or saviour of the universe. What is this state of qayum is not mentioned by Mujaddid in his writings but his disciple Khwaja Masum has given a vivid description of it in his *Ravdateh-Alqiyumeh*.

"Qayum is that under which there are names, forms, things, qualities, and religion and with whose light all creatures, man, birds, vegetation, all living beings, trees, stars, planets sun, moon and sky are illuminated. Everything is a play of his will. Not a drop of rain can fall without his permission. And not all the joys and sorrows, life and death of this world are outside his will... seconds, minutes, hours, day and night, good, bad, sin, virtue and everything that can be conceived is within his purview. All the worlds above and below this world also come under his order. All the sadhus and saints, the seekers and meditators and the enlightened ones going to pilgrimages, and sitting in temples, shrines and holy places, on mountains, caves, forests, and river banks who have

attained supreme knowledge also come under him... and whether they know it or not, their prayers and efforts cannot bear fruit and be accepted by Allah until Qayum does not approve it."

Although it cannot be proved that Shaikh Sirhindi openly claimed his right to be a qayum in his writings, but it appears that he was giving loud hints about it to his followers, disciples and devotees. There are two things that confirm this view. First, Jehangir writes in his *Tauzak-e-Jehangiri* that "it was clear to me when I talked to Shaikh Sirhindi that it was essential to arrest him and put him behind bars to make him come to his senses, so that his wayward mind comes down to earth and the trouble that has been created by his absurd talks can be brought under control."

Secondly, Shaikh Sirhindi has clearly proclaimed in his *Maktubaat* (III 145) that he is both the follower of Allah and the fulfillment of his will too. He goes on to write that he has direct contact with Allah without any intermediary. This is considered sacriligious in Islam which is unshakable in its belief that without the help of Hazrat Mohammad no contact can be established with Allah. "A Muslim may say what he likes about God, but he should think a hundred times before he utters even a single unfavourable word about Hazrat Muhammad."<sup>43</sup> But, Shaikh Sirhindi says in *Maktubaat* (III145) that "I am the disciple of Hazrat Muhammad as well as his companion (gurubhai). In other words, the place of Hazrat Muhammad and Shaikh Sirhindi is the same in Allah's court.

In the presence of such an elevated being who has attained the ultimate truth, what could the humble, friendly, compassionate, enlightened Guru Arjan do except pick up a do-or-die battle with him?

What is this 'Wahedatalshahud' which Mujaddid propagated instead of the prevalent 'Wahedatalvajud' to negate the very basis of it?

Both these doctrines are interpretations of the relationship between the world and its creator. Tasavaf has expalined the difference between these two doctrines in his book *Tadkarai-Gothiye* thus:

"Truth is one, but one is the direct thing and the other is indirect. The indirect or unmanifest is like light which is the soul of all creation. The reflection of this potential light is the visible world... and the basis of this diversity is the same unity just as the source of the waves is the river water itself... In other words, the name and form of the universe is the expansion of the creator and the essence of all the diversity is the oneness of the creator." This is the doctrine of 'Wahedatalvajud'

The explanation of the doctrine of 'Wahedatalshahud' is that the creation and its characteristics and movement is the reflection of the continuous creativity, which is visible in the mortal world. This reflection is not the creator but the appearance of the creator."<sup>27</sup>

Two hundred years after Mujaddid propounded his doctrine of 'Wahedatalshahud', Shah Waliulla established in his book *Maktub-e-Madni* that the concepts of 'Wahedatalshahud' and 'Wahedatalvajud' are actually one and the same thing. The difference is only in the choice of words.

Nawab Sir Ahmad Hussain, Nizam Jung Bahadur has written in his book *Falsafa-e-fukra* that in these two doctrines the differences are not so much philosophical as psychological depending on the mood and attitude. This is how he distinguishes between the two:



'Wahedatalshahud'	'Wahedatalvajud'
(1) Principle: God is the Creator	(1) Principle: God is the source of creation
(2) Attitude: Peaceful. There is no difference between God and the soul. Like the drop of water and the ocean.	(2) Attitude: Excited. I am in His presence and He is always with me.
(3) Belief: Who am I? I am God.	3) Belief: Who am I? Slave and devotee.

Ibn-Arabi, who is considered the founder of the 'Wahedatalvajud' doctrine of Sufism, has written an Arabic poem, which reads like this in translation:

"The state of my mind before today was that if someone's religion or idea did not match with mine, I used to think of him as an alien or not mine.

"Now I accept every form. My heart is the green pasture under the feet of the deer, the hermitage of the sanyassin, the fire temple of those who worship fire and the Ka'aba of the Hajis... and the scripture of Quran."

In contrast, the creator of 'Wahedatalshahud', Mujaddid's attitude was somewhat like the one that is recorded in his book *Maktubaat-e-Imam-e-Rabbani*, in response to a letter written by one of his admirers a Hindu Hirday Ram who had shown his great devotion to Mujaddid and had said that Ram and Rahim are one. In reply Mujaddid had written:

"The Hindu gods like Ram and Krishna are His (Allah's) creatures. They have taken birth from a mother's womb and father's semen. Ram was the son of Dashrath, brother of Lakshman and husband of Sita. The Ram who could not take care of his wife, what help will he be for others? You should walk the path intelligently and with

understanding, and not follow your ancestors blindly. It is disgraceful that someone should remember the creator of the entire cosmos by the name of Ram or Krishna. It is as insulting as calling an emperor a sweeper. It is gross stupidity to think of Ram and Rahim as the same."

In a letter to Nawab Shaikh Farid Murtza Khan, Mujaddid writes:

It is my ardent desire that the foes of God's prophet (Hindus) should be properly oppressed. They should be shunned and these unfortunate creatures should be insulted continuously. Be sure that there is no other easier way to please God."

In another letter, he writes:

"The honour of Islam is in the condemnation of qafirs. He who is in favour of non-believers goes against Islam. And this includes not only to love them or respect them but to even talk to them or entertain them. They should be shooed away like dogs."

There is another letter of Mujaddid addressed to Murtza Khan, the murderer of Guru Arjan Dev:

"Reverence of Islam is in condemnation of qufar and non-believers. Respect the non-believers (non-Muslims) amounts to disrespect for Islam. The more you respect them the more disrespect you show towards Islam. This fundamental thing should be kept in mind properly. Mostly, people have lost sight of this basic point and have destroyed the faith."

In 1615, when Jehangir gave orders to Murtza Khan to defeat the ancient kot of Kangra, Murtza Khan went to Pathankot the next year and died on the way. The last letter that Mujaddid wrote to Murtza Khan is as follows:

"You need to make more effort to destroy and desecrate these false gods (idols of gods in the temples of Kangra). My weak and feeble body and the chilling cold

weather stop me otherwise I would have personally done this service. I would have come and spat on this stone idol and considered it my good fortune."

In another letter, he has pointed to Murtza Khan thus:

"Jaziya is no longer levied on Hindus in India. This means that the Hindus have a say in the court of the emperor."

In another letter, he says:

"There is no other act more venerable in Islam than cow slaughter in India."

Mujaddid strongly believed that Islam can be preserved in India only if Hindus and Hinduism is destroyed. The prominent leaders of structure of Islam in India and Pakistan, Sir Syed Ahmad, Iqbal and Maulana Abul Kalam Azad are great followers and devotees of Mujaddid. The impact of Shaikh Ahmad's ideology is very deep not only in India but beyond India as well in the Middle East and some parts of the Turkish Empire.<sup>27</sup>

This is the background of the struggle between the Sikhs and the Mughal Empire, the Kabul Empire and the political Islam of India.

This long tale of Mujaddid and the elaborate description of the background have been given because without understanding and keeping it in mind it is not possible to comprehend the psychological problem of India and the birth of Pakistan. It is important to remember that this two-century long conflict was not between a few chosen personalities but it had the full participation of the Muslims, Hindus and Sikhs of India, and the decisions that history has taken about it cannot be forgotten or brushed aside. The hero in this struggle was Aurangzeb and not Akbar for the Muslims; the hero for the Hindus was Rana Partap and not Raja Man Singh. For

the Sikhs, Guru Tegh Bahadur, 'Hind ki chadar', was the hero who wanted to establish a plural society where both Hindus and Muslims lived with dignity.

After the Indian Council Act was enforced in 1909, His Majesty, King George V held court in Delhi. The First World War began in 1914. In 1916, the Muslim League and Indian National Congress came to an agreement which is known as the Lucknow Pact. It gave approval to communal elections (separate electorates) and imbalanced representation and, with the consent of the Hindus they were accepted as an essential part of the constitution of India. One year later, in the last days of the World War, in 1917, the royal proclamation declared that the following were the original communities:

"The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of increasing association of Indians in every branch of administration and the gradual development of self governing institutions with a view to the progressive realisation of responsible Government in India as an integral part of the British Empire."

Thus the 1919 Act was passed which clarified and explained the role of provincial councils and their rights. Before this, the jurisdictions of the central and provincial governments were not defined. The Delhi Government had delegated some random rights and state subjects to the provincial governments. This 1919 Act, for the first time divided the Reserved Subjects and Transferred Subjects, according to which the first category of rights came under the Governor and his Council, and the second category of rights came under the elected ministers of the provincial governments.

Before passing this Act, the British Government set up a Select Committee, which recommended that other

than Muslims and Sikhs no seats should be reserved for any other community or category. But, when the Act was passed, Europeans, Anglo-Indians and Indian Christians were also given reserved seats besides Muslims and Sikhs. In Madras and Bombay, non-Brahmins and Marathas were given reserved seats from the Brahmins' quota.

In the beginning of 1921, Duke of Connaught (George V's uncle) gave this royal message at the inauguration of the Scheme of this Act:

"For years — it may be for generations — patriotic and loyal Indians have dreamed of Swaraj for their motherland. Today, you have the beginning of Swaraj within my Empire..."

The Britishers used the word 'Swaraj' for the first time at the official level.

On April 13, 1919, the horrible tragedy of Jallianwala Bagh had taken place, and immediately after that, not bothering about the protests of the Indians, the Rowlatt Act had been imposed. Even then, when the Annual Session of the Indian National Congress was held in December 1919, Tilak, Malviya ji and Gandhi ji were in favour of cooperating with this Act, while C R Das was in favour of boycotting this Act. However, this atmosphere of cooperation did not last long because of two reasons. Firstly, because the treaties that were signed after the First World War took away most of the territories of the Sultan of Turkey who was also the Khalifa of Muslims all over the world. This had aggrieved the Indian Muslims a great deal. Secondly, the British administration had refused to punish the perpetrators of violence in Punjab.

Because of these two reasons, Gandhiji after the death of Tilak (July 1920) formulated a joint campaign with Muslims against the violence in Punjab and non-cooperation. He gave the slogan of non-cooperation with

the British Government. In October 1920, when the first elections were conducted according to the 1919 Act, then the Congress and the Khilafat Committee of the Muslims boycotted the elections.

In December 1920, when the Annual Session of the Congress was held in Nagpur, Gandhiji overshadowed the Congress effectively. Although, Gandhiji had not achieved much success by boycotting the elections, it became quite clear that he had the ambition to display his political power in the near future.

In 1921, Prince of Wales, His Majesty's son, came to India to assure the Indians of Britain's friendship. Congress leaders propagated the boycott of Prince of Wales, but, at a very high official level, it was assumed that if Prince of Wales is welcomed in Khalsa College Amritsar, he may declare Khalsa College Amritsar as a Sikh University like Muslim University Aligarh and Hindu University Benaras, which would research and preserve the purely Sikh elements in Sikh culture just like the two other universities do in their respective fields. However, some hot-blooded and dim-witted Sikhs opposed this harmless and universally beneficial proposal. The opponents were the so-called nationalist Sikhs, whose main protagonists were Master Tara Singh's brother Professor Niranjana Singh and Sri Mangal Singh Akali of Ludhiana. Professor Niranjana Singh's nationalist Sikhism got so excited that he proclaimed that if Prince of Wales goes up to the gate of Khalsa College Amritsar he would let himself be run over by his car and kill himself. In the last half century, there have been many instances of foolish Sikhs ready to give up their lives for any big or small cause, but very few who were educated and enlightened and awakened Sikhs.<sup>29</sup> Thus, the farsighted Sikhs who wanted the Sikhs to progress in India and live

with dignity in the world could not succeed.

In the same way, during the next quarter century, many opportunities were presented to the Sikhs of which the author is witness that could have changed the face of the community and the history of Sikhs, but were foolishly lost. They could have helped in establishing a plural open society for the welfare of all Indians, but these opportunities were lost by Sikh leaders like some fool would throw away a precious diamond like a stone. This perception about the Sikhs' political prowess is not new. Sir Lepel Griffin writes in his book *Ranjit Singh* (Oxford, p.16), "In intellectual competition with Hindus and Muslims, he (the Sikh) was a cart-horse pitted against thorough breeds." And another entry dated March 13, 1947 in London, (1973) p. 427, "The Sikhs, who are in a position to negotiate on the spot, are disunited and poorly led. Master Tara Singh is stupid and emotional."

From 1921 to 1926, as the Congress accelerated its efforts to take the entire governance of India from the Britishers, the Muslims became more and more anxious about their political future, and during this period the tension between the two communities resulted in frequent Hindu-Muslim riots.

It had been decided in the 1919 Act that after five years the ways and means of how to give more participation to the Indians in administration will be reviewed. Accordingly, the Simon Commission came to India in 1928, but Congress boycotted it because they said Indian leaders were not included in it. Although Simon Commission conceded that it was ready to include the chosen representatives of Delhi, still Congress did not agree to cooperate with the Simon Commission.

During these days, the author was a student of Lahore Government College and it must have been the

end of October when Simon Commission reached Lahore. I too went to the Railway Station with my two classmates to enjoy the spectacle. There were about two hundred men, including Lala Lajpat Rai and Pundit Madan Mohan Malviya, at the station. Lala Lajpat Rai had opened an umbrella in his hand. We also pushed our way and went and stood near Lala Lajpat Rai. The huge ground in front of the station was empty and the police had cordoned it off so that no one could go in. About ten to fifteen policemen, two British sergeants and a senior police officer (I learnt years later that he was Mr Hamilton Hardinge, Senior Superintendent Police, I P Amritsar) were standing behind the cordon stopping us. The gate of the station, from where passengers get out, was at least two hundred yards away from where we were standing. After a while, a few cars, three or four, sped past us from our right. Lala ji shouted at the top of his voice: "Shame, Simon! Go back!" and Malviya ji, sitting in the tonga also joined in the chorus. We also shouted: "Shame Simon. Go back!" We did not know then and are still ignorant about what shameful act Simon had committed. But we who were standing in the first row and others behind us were very eager to see this man Simon. Suddenly we were pushed from the back and we fell on the cordon which gave way under our weight. At this point, Mr Hamilton along with five six policemen advanced towards us. Mr Hamilton had a three to four feet long cane stick in his hand and the policemen had official lathis in their hands. Hamilton advanced but not a single polieman lifted his stick. Mr Hamilton swirled his stick in the air and came close to where Lala Lajpat Rai was standing. "Get back. Get back!" At that time, only once, his stick touched the outer rim of Lalaji's umbrella. By that time the Simon Commission people had gone miles away from the station



and all of us returned home.

Mr Scott, Senior Superintendent Police, who was blamed for beating Lala Lajpat Rai with sticks, was nowhere near us for hundreds of yards, and it is said, that he was on the platform inside the Railway Station all the time. Mr Sanders, Assistant Superintendent Police, who was killed two months later by the young nationalist Sikh, Bhagat Singh or his friend, with a bullet in front of my eyes, along with the innocent Havaldar Channan Singh for discharging his duty to protect his senior officer, was nowhere in the radius of five miles from the station that day.

By the time my friends and I returned to the college, we still had one more lecture of Professor Firth to attend. We entered the room quietly from the back door. As soon as Professor Firth saw us he shouted: "Shame Shemon. Go back." Naturally, my friend and I became nervous, but Professor Firth smiled and put our fears to rest. Professor Firth was an expert of Phonetics and the mystery of his "Shame Shemon, go back" was that like the other people we too had mispronounced the name. Instead of saying Simon, we had shouted Shemon and had disrespected the education we had received from him. He had no objection to our slogan shouting against the Simon Commission except for our incorrect pronunciation.

The same evening, outside the Mori Gate in Lahore, a public meeting was held, in which Lala Lajpat Rai, to live up to his reputation of "Punjab Kesri", thundered: "Today, the lathis that have been showered on us will be that many nails in the coffin of the British Empire." Here Lala Lajpat Rai clearly blamed Mr Scott for beating him with a stick.

In 1942, when I was the Deputy Commissioner of Karnal District and Mr Hamilton Hardinge was the

Deputy Inspector General Police of Ambala Range, we were having dinner together one night. That is when he told me this tale that in 1928, at the advent of Simon Commission, it was he who had swirled his stick which had touched the rim of Lala Lajpat Rai's umbrella. He said that Mr Scott remained on the platform of the Railway Station all the while, and Lala Lajpat Rai had an old score to settle with Mr Scott because of which he named him and concocted this story to malign him, (the detailed description of which cannot in any way enhance the reputation of Lala Lajpat Rai). I did not divulge to him that fourteen years ago I too had witnessed the whole scene but I was deeply touched by the honesty of this British officer, who after fourteen years in which many tragic results had emerged from this incident, was not diluting the truth in any manner.<sup>30</sup>

About three weeks after the Simon Commission reached Lahore, Lala Lajpat Rai died of cardiac arrest caused by his prolonged chronic ailment of low blood pressure. However, two Hindu Congress doctors certified that the efficient cause of his death was the wounds suffered by lathi charge three weeks ago. These Congress doctors were undoubtedly aware of the fact that Lala Lajpat Rai was suffering from mental anxiety which was eating him up that his public life and public service and personal reputation was coming to an end, about which Baghwad Geeta says: "If one has lived all one's life doing good and a time comes when you stand exposed. In such a state, it is better to die than live in disgrace."

This incident is briefly described by Master Tara Singh in his daily newspaper, Akali and Pardesi, Amritsar, of March 30, 1928 issue as follows:

"Lala Lajpat Rai's People's Servants' Society had started a wave of disgracing Mazhabi, Ramdasi and other

untouchable Sikhs. As they used to do earlier, the Arya Samajis camouflaged their real motives by opening schools, and naming them Bharati School or Public School. Now, under the garb of their Peoples' Society, they say that they are uplifting the untouchables. They say they have nothing to do with any religion. But when they go to the villages they propagate against the Sikh Gurus and attack Sikhism. They have removed the installation of Guru Granth Sahib from many gurdwaras in the villages. The simple villagers who used to do kirtan and sing gurbani are now singing Arya Samaji ghazals. It is sad that Peoples' Servants' Society which is a political institution is propagating against the Sikhs. Lala Lajpat Rai brought home nearly seventy thousand rupees from America to support the families of Sikh prisoners of 1914-15. That money has not reached any one's home. May be the Peoples' Society is using the same money for propaganda against the Sikhs. Therefore, we caution our brothers in Canada and America to ask for an account of that sum of money. If they send us a complete detailed list we can even extract the money from Lala ji."

In September 1928, Master Tara Singh wrote to Lala Lajpat Rai three times asking him to give the details of that seventy thousand rupees of the Sikhs, and he challenged that Lala Lajpat Rai had set up this Peoples' Society with that money, but Lala ji made no reply. At the end of October or beginning of November, Master Tara Singh served a legal notice on Lala ji asking why a case of grave corruption and betrayal of trust should not be filed against him, to which Lala ji made no reply. But it was eating him up like termite from within. Finally, on November 17, 1928, Punjab Kesri Lala Lajpat Rai died of cardiac arrest. Thus, the rotten eggs hatched into beautiful chicks. After Lala ji's demise, when his will was opened

and read, they found this written in it: "There is no God nor any religion, ideal or good conduct exists in the history of this world."

One Congress woman leader, Sarla Devi Chaudhry, came to Lahore at this point of time, got the following statement published in the daily newspapers, and returned post haste to her in-laws' house in Calcutta:

"The wicked Britisher, Scott has beaten Lala Lajpat Rai to death. Have the menfolk of Punjab become absolutely impotent?"

Madam made this feminine remark and went back to the floral Bengal but the youth of Punjab was on fire. The young boy Bhagat Singh, who had inherited his nationalist spirit from his uncle Ajit Singh and his patriotism from his father Kishan Singh became restless. Hardly any time had gone by, when one day, my friends and I were sitting on the terrace of our New Hostel of Government College, studying or pretending to study. We were watching the traffic of cars, tongas and pedestrians on the crossing below, where D A V College was on one side and the office of District Police in front of it. Suddenly, there was a volley of gun shots and a Britisher came out of the office of the police station, and we saw him being hit by a bullet as he was mounting his motor cycle. He fell down dead. Then a Sikh policeman ran towards the end of the wall of the D A V College and D A V Hostel to catch hold of the man who fired the shots. He too was killed by the same assailant. By then there was a commotion and the whole crossing was full of people and policemen.

Thus, Bhagat Singh or his friend killed Sanders mistaking him to be Scott<sup>31</sup> and killed Channan Singh for his crime of doing his duty to catch hold of the murderer of his boss.

The next day I was questioned, along with other

boys, about this incident and I told everything as I had seen it, but when I was asked and tempted to identify Bhagat Singh I refused. I already knew Bhagat Singh and, this fact was brought up against me two years later when I succeeded in the ICS Competition. However, the country was still ruled by the foreigners, the British, who were conscientious people and hesitated to make wickedness the only way to gain political power and establish the rule of injustice and tyranny without giving it a thought.

Bhagat Singh and his companions were tried in the court for murder. He showed infinite courage and did not waver till the end when he was hanged to death. The British government accepted his last wish to be cremated according to the Sikh rites, but did not concede his other strong desire to let him take amrit from the five piaras under the leadership of Bhai Randhir Singh, who was in the Lahore prison and was about to be released.

Here it is worth mentioning that Bhagat Singh used to start his letters with the symbol of Ek Omkar and end them with Sat sri akal till the end in all the letters he wrote from the prison to his parents, friends and relatives. It is worth mentioning because the Hindu politicians have given a very different colouring to his religious ideology and his physical form, which is very different from Sikhism.

Had Bhagat Singh realised in his last days that he had gone against the Sikh faith and Sikh values by killing Sanders and Channan Singh? Had Bhagat Singh realised that it is a sin to kill an innocent man, without challenging him, hitting him from the back according to the Sikh valour and honour? Had he realised that his act was more in tune with tantric mode of worship to please Ma Kali and not at all in tune with Sikhism? Bhagat Singh's desire to take amrit and establish his bond with his ancestors

reflects his state of mind where these questions had taken the form of a deep problem. He wanted to take amrit to give a loud and clear answer to these questions to his countrymen, which the British bureaucracy did not allow lest many other Sikhs also follow the same path and add tantra as a part of Sikhism as many Sikhs settled in Canada and America had done. They had become followers of tantra in the name of new found nationalism. Similarly, many Sikhs had started considering Marxism to be close to Sikhism, and chances were that they too would take to violence as it had happened in Bengal. The government feared that the Sikhs might start slaughtering the Britishers and Muslims indiscriminately and consider it a religious act. But, from his conversations with Bhai Randhir Singh<sup>32</sup> in his last days, it is evident that Bhagat Singh had seen the difference between nationalism and new Sikhism from the pure teachings of the Gurus. His last wish to be cremated as per Sikh rites is proof of it.

Some of our countrymen call Bhagat Singh the supreme martyr (Shaheed-e-azam), but it is a mistake to call him even a martyr, leave alone the supreme martyr. The position of martyrdom is based on two factors: (1) the man who is going to die is ready to sacrifice his life for the sake of his profound religious faith or honour, and, (2) he has the freedom to save his life at the cost of giving up his faith. If these two basic factors are missing then it is baseless to call a person a martyr no matter how great his sacrifice may be, or for what great cause it may be or how courageously it may be faced. Both these factors cannot be applied to Bhagat Singh's death sentence. There can be only two or three reasons to make him a martyr. First, that his character was full of courage and fearlessness. Courage and fearlessness, even if they are not used properly or even used inappropriately often become

praiseworthy in the eyes of the common people. Secondly, by killing the Britisher Sanders and his Sikh protector he had pleased the worshippers of Kali who has become the spiritual idol of Bharat Mata in the minds of modern nationalist Hindus. Third and the strongest reason can be that after committing the murders, he cut his hair in order to disguise himself and escape from Lahore, which a section of our Hindu brothers have always encouraged. Here, we reproduce a report from the National Archives, New Delhi to support this view.

"Hinduism has always been hostile to Sikhism whose Gurus powerfully and successfully attacked the principle of caste which is the foundation on which the whole fabric of Brahmanism has been reared. The activities of Hindus have, therefore, been constantly directed to the undermining of Sikhism both by preventing the children of Sikh fathers from taking *pahul* and by reducing professed Sikhs from their allegiance to their faith. Hinduism has strangled Buddhism, once a formidable rival to it and it has already made serious inroads into the domain of Sikhism." — *A Report on Developments in Sikh Politics*, (1900-1911), by D Petrie, Assistant Director, Criminal Intelligence, Government of India, dated Simla, the 11th August, 1911 (National Archives, New Delhi). Reproduced in the *Gurdwara Gazette*, Amritsar, April, 1969.<sup>33</sup>

According to Bhai Randhir Singh's statement in his book *Jail Chithian*, Bhagat Singh admitted that he had not grown his hair long again after his arrest because he did not want the Hindu Press to ignore his sacrifice as so many other Sikh patriots' sacrifices had been brushed aside by them in the past.

The first volume of the Simon Commission Report was published in 1930, but let alone accepting it, no one

even bothered to deliberate it with a cool head. In 1929, the annual session of the Congress was held on the banks of Ravi in Lahore. At midnight on 26/27 January the resolution of Puran Swaraj (total freedom) was passed under the leadership of Pundit Jawahar Lal Nehru. The author was present as a national volunteer in the chilling cold winter night.

In 1930-31, the Congress started its non-cooperation and satyagrah movement and thousands were sent to jails for breaking the law. The Britishers brought this disturbance created by the Congress under control but it was never their ultimate aim to rule with the power of the sword. Lord Irwin, Viceroy consulted the British Government in London and issued this declaration:

"The correct meaning of the proclamation of 1917 for India's political power is that India should attain the dominion status."

At the same time, it was decided that a round-table conference be held in London which would include the Indian leaders and representatives of the Indian kings, which would decide about the constitution of the political structure of united and inclusive India. This conference was held in London in December 1930, in which 57 leaders of British India and 16 from the British Government were included. In this round table conference, Maharaja Bikaner and Nawab of Bhopal adopted a praiseworthy attitude, especially in their gesture of delegating their rights to united central government. But at that point of time, Churchill and his Tory colleagues did not let a satisfactory decision emerge. This was the time when Churchill made this statement which became world famous:

"What can be more degrading for the British Empire than to sit with a half naked fakir at the same table to



discuss matters?"

The late Maharaja Bhupendra Singh of Patiala had also attended this conference. Before he departed for London, my classmate from Government College Lahore and colleague of Sikh Association and I went to meet Maharaja Bhupendra Singh who had stopped at Lahore. During the course of his conversation he told us:

"The reign of the Britishers is not going to last for long in India and the fate of the Indian estates of Hindus, Muslims and Sikhs is in trouble. I will spend my life on the throne but if I could be of any service to the Sikhs it would give me immense peace of mind. If the Sikhs accept me as their leader I can bring back some solid gains for the Sikhs so that the Sikh community would remember that the blood of Baba Ala Singh runs in the veins of this Bhupa jat. But, boys, your Akali leaders are after my life. They are right in saying that I am not staunch in following the code of conduct. But, kachhehras alone cannot do any good to the Sikh community. You will remember my words some day."

I told this to Sardar Amar Singh, editor, Shere-e-Punjab and he told me that this has actually happened. Master Tara Singh ji is not at all ready to accept Bhupendra Singh as the representative of the Sikhs and the Britishers are not willing to invite Master Tara Singh to England. Gor save the Panth!"

More than 35 years have gone by since these things happened but I remember them as though it was just yesterday.

The boat of this first round table conference went and hit against a rock and broke into pieces. This rock was the issue of communal representation. It was the first time that the untouchable castes had made a demand for separate electorates, and everyone felt that unless the

Congress is included no permanent solution can be found for this problem.

Thus, the foundation for the second round table conference was laid. Gandhi-Irwin Pact was passed in 1931, because of which the Government released the Satyagrahi prisoners, returned the fines levied on them and rolled back the laws that pressurised the Congress. The road was cleared for the Congress to take part in the round table conference.

In July 1931, when the members of the round table conference boarded the ship to go to England, I too boarded the ship for higher studies in England. Mr Jinnah was my co-traveller and I met him there and many times afterwards and I was always impressed by his desire for the good of the country, his self-confidence, self-esteem, good intentions and his sharp intelligence. On the ship, he said about the Sikhs, one day: "Islam is holding the right hand of the Sikhs and the Hindus are holding their left hand, but the Sikhs are always turning their head towards the Hindus." I said: "It is not a spiritual trait but a historical pre-disposition." Mr Jinnah heard me and was silent for a while. Then he smiled and remarked, "You have spoken profoundly. Come, let's go down and have a drink."

During the Second Round Table Conference only, Mr Jinnah came to Cambridge, where I was a student, to deliver a speech. Talking about the political position of the Muslims in India in front of the university students, he said, "It is difficult to understand the position of the Sikhs by logic or justice. They claim the rights of a separate nation but are determined to do down the Muslims at the instigation of Hindus. Ah, the Sikh leadership!" Sardar Kartar Singh Chhachi, who was a barrister in Chandigarh, but is no more, and I walked out of the lecture in protest.

The same day, we met him in his hotel in the evening to express our grievances about why he had spoken of Sikh leaders with disrespect. In reply he said, "Young man, sentiment and emotion are not the same thing as political insight. Consider my remarks dispassionately and if you can do something, do it. When you grow mature, you will mark my words."

I have remembered his words today and many times in the past.

Those days, Chaudhary Rahmat Ali and Khwaja Abdul Rahim were studying in Cambridge along with me. Chaudhary Rahmat Ali should actually be considered the pioneer of establishing Pakistan. He used to propagate the idea of Pakistan vociferously at that time, and Khawaja Abdul Rahim (ICS) was one of his ardent supporters. Some time after the above mentioned incident, Chaudhary Sahib said to me, "Come, let us put an end to all India's problems by making an agreement between the Muslims and Sikhs of Punjab. The agreement we make today will be approved and even the responsibility to abide by it will be given right here only." Then he named some of the top Muslim leaders and the members of House of Lords and House of Commons. We talked about a land between the Yamuna and Lunde Rivers, which would be affiliated to the confederation of India, where the Sikhs would have thirty percent representation and special reserved rights as a community for some months. Chaudhary Sahib told me and it was confirmed by some direct events that these suggestions were well received by Muslim leaders and British policy makers. But, ultimately I refused to take responsibility of implementing these ideas because I knew the Sikhs who love loud noise and sloganeering would never be ready to follow a young man like me.

This was the time when Mr Jinnah had announced

through the London papers that "Pakistan is a rumour floated by school boys."

As we proceed in the narrative of the Communal Award, we will tell how Mr Jinnah had made unsuccessful but sincere efforts through Master Tara Singh and Sir Yadavindra Singh, Maharaja of Patiala again in 1947 to give almost the same political rights and status of a subnation to the Sikhs.

Dr Sir Muhammad Iqbal had also come to England for the Second Round Table Conference. I was a great fan of his poetic diction and philosophic glory since my college days in Lahore.

During the years 1928 to 1931, there was hardly a month when sometimes alone or with my friends I did not visit him in his house, which we called Pir Khana, to exchange views with him. In Lahore College, I had Persian and Philosophy as my special subjects, and Dr Iqbal was a master of both because of which my love and respect for him was but natural. In 1930, when I was planning to complete my education in Cambridge, he had given his autographed photograph to me saying, "Always speak sweetly and never utter a rude word. You and I have met by destiny." I have this souvenir with me till date. Earlier, Dr Iqbal also had been a student of Government College Lahore and when he came to Cambridge, we invited him for dinner to Indian Majlis. I was sitting in front of him at the dinner table. He spoke to me in Punjabi, "Sardara, how much of your ancestral land have you mortgaged to the Hindus?" I replied, "Sir, there is no land mortgaged but there is a loan which I have to pay, which keeps increasing with interest on interest and never seems to end." He became serious and said, "In Islamic society man is not a slave of interest, this is beneficial for the Sikhs also." I understood his insinuation and smiled but kept

quiet. After about five minutes, I wrote the Punjabi translation of one of his Persian poems on the dinner menu on which he put his signature.<sup>34</sup> I had preserved his signatures as a souvenir which got left behind in Lahore in 1947. But, his signatures in my Autograph Book are still with me.

In 1938, when I heard of his sickness I went from Layya Muzaffargarh to meet him for the last time, a couple of days before his death. When he recognised me, he pointed to a poem written in pencil lying on a chair beside his bed.<sup>59</sup> Two or three days later he passed away.

Dr Sir Muhammad Iqbal was a devout devotee of the Prophet, Hazrat Muhammad Sahib exactly as Shaikh Ahmad Sirhindi was before him. Hazrat Muhammad Sahib died at the age of 63 years. Mujaddid Alif Thani and Dr Iqbal both died at the age of 63 years. This is considered a sign of great men in Islamic mystique.

In the Second Round Table Conference, Mahatma Gandhi went alone and did not take anyone with him for consultations. Mahatma Gandhi perhaps wanted to show that he was the only, singular leader of the Congress, but now, no thinking person objects to it or questions why he did this especially when by doing this he did no good for either the country or the Congress. In fact, many thinkers believe it to be the root cause of the failure of the Second Round Table Conference.

Guru Gobind Singh had formulated a law for all social and political matters that no decisions of grave importance should be taken unilaterally, but should be dealt with unanimously. The Greek citizens of Athens, who are the founders of modern democracy, also had the same policy, which was constituted by Guru Gobind Singh. Aristotle has said, "Many people who may not be very intelligent individually, can be more sensible than

one or two very intelligent persons when they sit together." Did the thought of a "singular leader" among the Sikhs arise after Mahatma Gandhi's attitude in 1931? Knowing the copy-cat tendency of the Sikhs, it would not be inappropriate to think that it must be so. But, there is no doubt that Master Tara Singh knew that the concept of a 'sole leader' was against Guru Gobind Singh's injunctions. Guru Gobind Singh had severely reprimanded Banda Singh Bahadur and told him that 'the day you dream of becoming a singular leader you will lose all your glory.' It just proves that Mahatma Gandhi not only harmed the interests of the Congress and the Hindus but also set a wrong precedent for the Sikhs as well.

During this time only, Mahatma Gandhi came to Cambridge and gave a speech to the university students. I was the only person in the audience who wore a turban. Mahatma ji sent Reverend Andrews from the dais to make me get up from there and sit on a chair next to him. Gandhiji wanted to express his large-heartedness by openly appreciating the fact that I had stuck to my principles even on the foreign soil, but the audience thought that I was an old friend of Gandhi ji and Reverend Andrews. The world famous economist Professor Keynes was a professor in Cambridge those days and I used to attend his lectures quite often. He invited Mahatma Gandhi to lunch and, considering me a friend of his and his own student, he invited me too. Keynes discussed international finance with Mahatma Gandhi over lunch, and the next day, after class he said to me, "This man (Mahatma Gandhi) knows nothing about economics." What could I say? I just kept quiet. Many years later I understood the meaning of Keynes' remark that only an omniscient person can become a singular leader otherwise he will be harmful.

Mahatma Gandhi made three claims in the open session of the Second Round Table Conference, and all of them were openly and strongly opposed immediately. (1) Indian National Congress is the representative of political India. (2) The untouchable castes are an inseparable part of the Hindu community and cannot demand a separate representation. (3) Hindus and Muslims etc should stay together in united India through combined elections without communal representation and imbalance.

Realising that none of these three claims would be accepted, and when Mahatma Gandhi openly admitted his inability to pacify the untouchables and minorities, the British Government announced that if the Indian leaders do not come to an agreement, then the British Prime Minister Ramsay MacDonald will take a decision regarding the Legislative Assemblies on his own so that the hurdle in the way of independence is removed.

In this atmosphere and under these circumstances, the seed of Communal Award sprouted.

At the end of 1931, when Mahatma Gandhi came back empty handed, there were disturbances in the country. The Congress had launched a campaign against the government in Uttar Pradesh. In Bengal, the religious tradition of sacrificing British officers at the feet of Bharat Mata had gained momentum, and in the border provinces Abdul Gaffar Khan's red-shirts were agitated. Thus, a large-scale movement erupted against the British Government, and great leaders like Mahatma Gandhi, Jawahar Lal Nehru etc were imprisoned.

However, work of the Round Table Conference continued and the sub-committees continued to prepare their reports.

In the first week of January 1932, I had gone to London where I met Sardar Bahadur Shivdev Singh

Oberoi, who was at that time a member of the India Council of the Secretary of State. Sardar Bahadur had given a standing invitation to all the Sikh students in England, who had kept up the Sikh tradition of growing long hair, to lunch on every Sunday, and if he was not in London on any Sunday then they should come on any other day of the week. When I called him, he invited me for lunch immediately and said, "What will become of the Sikhs now? The Sikh leaders do not follow the right path and their stupidity will get them nothing." I said, "You are here and therefore a leader. Do something." He said, "They call me a "Chiefia" (member of Chief Khalsa Dewan) and the Sikhs call me a sychophant. If we study the origins of the wave of Singh Sabha, then we know that the abuses of the Arya Samajis for the Sikh Gurus were the root cause of this movement. After the death of Maharaja Ranjit Singh, when the Sikh empire came into the hands of the Dogras and when they offered it on a platter to the Britishers, the Sikhs and the Sikh leaders laid down their lives to save the Sikh palace and fought the battles of Mudki, Pheru, Chillianwala, Ram Nagar and Gujrat, as you are already aware. Later, the efforts of Bhai Maharaj Singh and Giani Thakur Singh to bring back the re-initiated Sikh Maharaja Dalip Singh are links of the same chain. But, we forgot the just Guru when we were in power, so how could we succeed? This was the time when first Sharda Ram Phillauri, the Sanatan Brahmin and then the spokesmen of the neo-Hindu Arya Samaj started making derogatory remarks about the Sikh Gurus and Sikhism. Unbiased historians cannot blame the Sikhs for betraying the Muslims after securing the throne. We had made Hindus equal partners in the empire. Then why did they spring on us like mad dogs? Ultimately, the ideology out of which the wave of Singh Sabha emerged was led by



the militant statesman Sardar Thakur Singh Sandhawalia and Giani Thakur Singh who were wise Sikhs. Their basic ideas were: (1) After the annexation of Lahore Durbar, the Sikhs cannot claim right on Punjab with their muscle power. They will have to interact with the Britishers to enhance the political status of the Sikhs as far as possible. It is the policy of people like me (Chiefias) who want to maintain good relations with the British that the Akalis call sychophancy these days. (2) The Sikh nation as the third unit has been established by the Sikh Gurus in Asia and the world. The Sikhs can survive only if they fulfill their obligations of being the third entity properly. If they follow any other policy of togetherness or following any other entity then they will be signing on their death warrants. That is how the nationalist Sikhism of today is actually suicidal. We, chiefias, adhere to the dictum of "*Jab lag Khalsa rahe niara, tab lag tej dion main sara.*" And, this basic thought had given birth to the Singh Sabha Movement. (3) The Muslims of Punjab oppose the Sikhs for the simple reason that they might take over the rule of Punjab. This is understandable; therefore, an agreement with them is possible if they are given an assurance. But, the reasons of enmity with the Hindus are deep rooted. Even when the Sikhs ruled over Punjab in the eighteenth and nineteenth centuries the Hindus continued to remain subordinate. They could not overcome their inferiority complex. Therefore, they will not forgive the Sikhs their "sin". This is the root cause of the hostile attitude of people like Sharda Ram Philauri and Arya Samajis, and God forbid, a time comes when the Sikhs have to live under the rule of the Hindus, then sheer survival will become a problem for the Sikhs, not political participation in India. This is the view of the chiefia Sikhs. (4) The Indians are going to be able to snatch power from

the Britishers; the Britishers will leave on their own accord or they will divide and distribute it. Therefore, the Sikhs and Muslims can get whatever they want by peaceful and friendly talks with the Britishers. If these two communities don't get it through these means then all of it will fall in the lap of the Hindus automatically. That is all my understanding of the situation and this is the view of all of us in the Chief Khalsa Dewan. But the Sikh masses have got carried away by provocative slogans and given up the cool-headed approach. Who is going to listen to us?"

Today, after exactly thirty years, I am penning down Sardar Bahadur Shivdev Singh's analysis of Sikh politics and Indian politics. Therefore, it is not possible to record his exact words. But, I have given the gist and outline of what he said to me in the beginning of 1932. It has stayed fresh in my memory all these years, and may have changed in style at times but its import has not been diluted or corrupted.

Like any empty-headed person, I said after hearing this profound political analysis, "Then, do something." He said, "I will do something, you also do something. Listen to me carefully. If, at this point of time, the Sikh leaders can convince the British that the portion of land that they will get in Punjab will be used for their protection and will not dominate the Muslims under the pressure of the Hindus then in the Communal Award, which is in the making, the Sikhs will be given such an honourable position that they will never have to bow their heads before Hindus or Muslims." I asked, "Who should convince the British on behalf of the Sikhs?" He replied, "Those whom the Sikhs have made their leaders. Who else? The Akali leaders should give this assurance." Then he named the prominent Akali leader and said, "You take

leave for two or three months and go to India and do as I tell you to do." I said, "Firstly, I am an ICS probationer, and if I give up my studies now, then I will not be able to get this job for the rest of my life. Secondly, the Akali leader you have named, I know him only as a student knows a teacher. He was a teacher in the school where I studied. I have no other relation with him because of which he should listen to a mere college student and accept my political views." He said, "Ok, if this is so, then we will have to send someone else. I, too, cannot go. I had thought you might go and convince him about this sensible thought. Damn the job."

Today I miss my friend and regret not having listened to him. At that time, I did not even dream that after fifteen twenty years I would be in a situation where, because of my baseless presumption that Akali leaders would not listen to me, I would have to face the most difficult and dreadful time of my life. And, in this dreadful time, there would be no one except the Lord Almighty to give me any support.

I heard after some time that Sardar Bahadur Shivdev Singh sent his son, who was a pilot in London, to India with a letter, who returned around June 1932 totally frustrated and empty handed. In August 1932, Sardar Bahadur told me that he had received a reply. I asked him what was the reply. He said, "The answer is: 'Should we blacken our faces in the history by talking to the Britishers?' He paused and then said, "In politics those people are disgraced who lose the final game. Guru Sahib also says, "*Aisee kala na khediye jit aggey gaya hariye.*" Now only God can protect the Sikhs."

In September or October 1932, the British Prime Minister, Ramsay MacDonald, announced the Communal Award. In it, the Sikhs were given nearly seventeen

percent representation in Punjab whereas they formed about eleven percent of the population. With seventeen percent representation, the Sikhs could not be heavy on the Muslims even if they combined with the Hindus, and the Muslims had no real need to include the Sikhs with them.

The Muslims, like shrewd politicians, accepted this Communal Award unwillingly. Mahatma Gandhi objected to only one clause by which the untouchables were separated from the Hindus. He went on a fast-unto-death against it and got it changed. Thus the political unity of the untouchables with the Hindus was not allowed to break. The Congress said that they neither rejected nor accepted the Communal Award. The poet has rightly said, "My beloved is an expert in being on both sides. He drinks with me and with the fanatics he does his namaz."<sup>60</sup>

"Neither reject nor accept"! What can be made out of it? It had a different deeper meaning, another political meaning and yet another populist meaning.

The populist meaning was simply this that, since the Hindus were unhappy with it and the Muslims had accepted it, the Congress did not want to displease either the Hindus or the Muslims. The political meaning was that when the political power comes in the hands of the Congress then it will deal with the Communal Award also. That is exactly what the Congress did in 1950, when it rejected the fundamental principle of the Communal Award. The deeper hidden meaning of "neither accept nor reject" is that the Hindu thought is not basically positivist; it is negatavist which believes in the self-evident principle that truth is in 'no' and not in 'yes'. The politics of the country in the last fifty years has been that of non-cooperation, boycott, neutralism and non-alignment. The

basis of all these ideologies is the fundamental concept of 'neti neti' of the Upanishads, which is entrenched in every fibre of the Hindu psyche.

The Sikhs, in line with their prevalent and unanimously accepted politics, made loud noise and shouted slogans and maintained their posture of a lion from the front and of a fox at the back. The Sikh leaders were found napping when in 1936 Guru Gobind Singh challenged them once again.

This strange tale is somewhat like this. It is recorded in the diary of Bhai Mohan Singh Vaid that on March 20, 1934 Baba Kharak Singh, presiding over the All India Sikh Nationalist Conference, announced that the Communal Award does not do justice to the Sikhs. At this conference a decision was taken to send a deputation to England, from which it seems that Baba Kharak Singh was not yet aware of what Sardar Bahadur Shivdev Singh had said and the background of the Communal Award. In this diary, he wrote that on April 16, 1935 a meeting of Sikh leaders presided by Baba Kharak Singh was held in Amritsar. In this meeting it was decided to drop the idea of sending a deputation about the Communal Award to England. By this time it appears the Sikh leaders had learnt about the real background of the Communal Award.

In May 1933, on the basis of the Second Round Table Conference, British Government published a White Paper and eighteen months later in January 1935, the Parliamentary Select Committee completed its report on it. In October 1934, Mahatma Gandhi retired from the Congress and the institution of the Congress fell directly in the hands of Pundit Jawahar Lal Nehru. In the middle of 1935, the British Parliament passed the Government of India Act (1935) and through it the Communal Award became the basis of division of political power in India. In

May or June 1936, it was announced that by April 1937, the provincial and central elections will be completed on the basis of the 1935 Act.

In 1925, the great Muslim leader Sir Fazal Hussain published a booklet of fifteen twenty pages for private circulation, which was given to a chosen few Muslim political scholars only, with the instructions that it should not be shown to any Hindu or Sikh. I read the whole booklet. It had the following words:

"Hindu considers political matters and their implications years ahead. The Musalman tries to tackle them just in time. But the Sikh never thinks of them unless the time is actually past and the matter is well settled. The Sikh brain is intoxicated and obscured with the memory that once they ruled over Punjab, and they quite forget that the tail of the Sikh lion has been twisted by the British."

Sir Fazal Hussain's estimation of the Sikhs was validated when all the Sikh leaders got together at the grave of Maharaja Ranjit Singh to deliberate how to avert the subordination of Sikhs under the Hindus and Muslims in Punjab as it was done in the 1935 Act. A decision was taken unanimously that "the Sikhs will die but will not let the Communal Award be imposed in Punjab." In those days, the Government had banned the entry of Master Tara Singh, the Akali leader, in Lahore city and he was under house arrest in Shahdara. He could be imprisoned for six months if he entered Lahore without permission. Therefore, to keep up his Sikh image, Master Tara Singh did not come to attend the meeting held at Maharaja Ranjit Singh's grave himself but sent a written note through Giani Kartar Singh to the Sikh leaders for approval:

"We will let them chop us to pieces but we will not

let them impose the Communal Award in Punjab. Oh, Guru Gobind Singh, you are known as the saviour of the Panth. If we hesitate to make the most supreme sacrifice to stop the Communal Award, then we are not your Sikhs. But, if you don't grant success to our sacrifices then you are not the saviour of the Panth."

The Sikhs remember Guru Gobind Singh's last words of promise 'to take care of the Panth like a farmer takes care of his crop', and the tenth master is known as 'Saviour of the Panth'. But, no one had ever challenged the Guru in this crude and uncivilised manner. During the greater holocaust the Sikhs had prayed in profound humility to protect the Panth so that the teachings of the Gurus prevail in the world:

"Panth jo raha toh tera granth bhi rahego nath  
Panth na raha toh tera granth kaun manego."

Guru Gobind Singh had taken up this grievance and the Panth was not only saved but in the same year in 1762 the architect of the great holocaust Abdali was defeated decisively in the battleground. Again, in December 1764, when Ahmad Shah Abdali invaded India for the seventh time, and the Sikhs were in great trouble, then the Nihang leader Gurbaksh Singh had challenged the Sikhs, not the Guru.

"Hai kou singh iss panth majhar  
Lahe sis kare dargah pukar."

He had doubts about the Sikhs that they might hesitate to sacrifice themselves, but he had no doubts about the Guru's power. Before he laid down his life, he had prayed to the Guru thus:

"Harmandir ke beech mein im kini ardas  
Sikhi torh nibhahiye, sis, kesan sang swas."

The Sikhs who had once given a letter of dissent (bedava) to the tenth master had given the reason that "we cannot live up to Sikhi". In other words, they had taken the blame on themselves. In July 1936, for the first time, Guru Gobind Singh was challenged by his Sikhs or Sikh leaders or the 'sole leader' of the Panth, who lacked faith in the power of the Guru. The Guru does not listen to the prayer of an unfaithful Sikh, but the merciful Guru did listen to the prayer of the Sikhs and showered his benevolent look on them. But, the ungrateful Sikh leaders could not get rid of the chains of slavery even with the Guru's help.

This is what transpired.

When reports reached the British Government in London about the meeting of Sikh leaders of July 1936, they were deeply concerned. After much deliberation, it was decided that if the Sikhs really come down to violence in protest of the Communal Award, then as far as Punjab is concerned the Communal Award will be removed from the India Act, 1935. And, another Round Table Conference will be held of the Sikhs, Hindus and Muslims of Punjab only to tackle the communal proportion. Accordingly, in October 1936, the Governor of Punjab issued a confidential order to the Commissioners that as soon as the Sikhs start violence in their districts and, if more than twenty people die, then they should officially announce the retraction of Communal Award from Punjab on behalf of the British Government. This had been conveyed to the Akali leaders by November 1936. But the Sikh leaders had by then forgotten their anger about the Communal Award, and were involved in the tussle whether Master Tara Singh's men should be elected in the Punjab Council or Sir Sunder Singh Majithia's men. Ultimately, in the March 1937 elections, the Sikhs fought



on this issue and not against the Communal Award.

When Giani Kartar Singh, known as the 'brain of the Panth' was told about the possibility of changing the Communal Award, he replied: "This Sirdar Kapur Singh will rest only when he gets the Sikhs' hair pulled out. Don't let Master ji go near him." This reminded me of the poet Gang Rai's last words recorded in Rattan Singh Bhangu's *Prachin Panth Parkash*: "Kabhun na gandu rann charhe kabhun na baje bumb, sakal sabha ko Ram Ram bida hot hai Gang." Master Tara Singh said to me, "I was not the only one to make a vow. Sunder Singh Majithia was also with us." God bless the Sikhs!

Under the title, "Malang Aagu Jathedar Samma Singh Lyallpuri", Harjinder Singh Dilgeer Advocate wrote on page 9 of the February-March edition of "Akali Reporter" Jullundur, that Jathedar Samma Singh told the author that "Giani Kartar Singh was his friend, but he was a coward and was scared of being imprisoned and was dying to become a minister."

"Yeh misreh likh diye kis shokh ne mehrabe masjid par,

Kih nadan gir gaye sajdon mein jab vakte kiyam aya."

(Someone has wantonly written these lines on the wall of the mosque: "These foolish devotees bent down to pray when the Day of Judgment came.)

That is how the Sikh leaders' challenge to Guru Gobind Singh unfolded. The cowardly and hypocritical Sikhs wanted the Guru to shower blessings on them by shouting false and hollow threats. '*Kalar diyan vanjariyan jhunge mushak mangen.*'

In the 1937 elections, the provinces with Hindu majority were won by the Congress and the provinces with Muslim majority came to Muslim League. In the

Frontier Province, Abdul Gaffar Khan's red-shirts won, and the government was formed with the support of the Congress. In Punjab, the rural Muslims won, who joined hands with the rural Hindus and formed Unionist Ministry. Master Tara Singh's party won and the wealthy Sardar Baldev Singh became a minister, from the Sikh community. Thus, even the possibility of success of the Chief Khalsa Dewan's policy was finished for ever. In the provinces where the Congress Hindus were in majority, the Congress under the leadership of Jawahar Lal Nehru refused to form a joint ministry with members of the Muslim League, and the divide between the Hindus and Muslims widened further. In 1939, when the Second World War broke out, the Congress gave up its ministries in protest that India had been dragged into the war without its consent. At this the Muslim League celebrated its 'release from Hindu domination'.

That is how the foundation of the country's partition and the division of united India into pieces became stronger.

Within a year after the Second World War started, Hitler had captured half of Europe and it appeared that Germany was going to take over England any day. In July 1940, Gandhi ji sent an open message to the British Government to accept its defeat like France had done in a peaceful manner and let Hitler's and Mussolini's forces take control of Britain without any resistance. In reply, the British Government thanked Gandhiji for his 'good advice' and acknowledged that Mahatma Gandhi's efforts were laudable. But the British Government said that the British would go on fighting till we are victorious. In this manner, the British Government behaved in the manner in which Guru Gobind Singh would have when he said, '*Na daron arSION jab jaye laron, nischay kar apni jeet karon.*'

In August 1940, on the order of the British Government, the Viceroy declared that India would be given 'dominion status' immediately after the war, and during the war Indians should join the central government and support it to win the war. The Congress did not agree to this and Gandhiji told the Viceroy that the Congress will propagate against India's participation in the war. Thus, the Congress leaders like Gandhi ji and Nehru went to jail again.

In the beginning of 1942, the war turned the tables against Britain and the Allies when Japan snatched the dominance of Britain and America from the western countries and captured Singapore. The British forces had to vacate Burma. On March 8, 1942, Japanese forces entered Rangoon. In this background, British War Minister made a scheme to grant complete freedom to India and Sir Stafford Cripps was sent to India to get the scheme approved by Indian leaders.

This was called the Cripps Mission.

It was the last week of March 1942 and my wife and I had gone to Gandhiji's Wardha Ashram. Seeing us strolling in the Ashram the very first day, Gandhi ji called us to his hut. By way of introduction, when I reminded Gandhiji about meeting him in 1932, ten years ago, in Cambridge, he remembered me at once. Gandhi ji warmly welcomed us to the Ashram and extended loving hospitality. He would talk to us for hours for two or three days about politics also, but mainly about the Sikh religion. I complained that he had referred to Guru Gobind Singh as a 'misguided patriot' in his newspaper Young India. I said he had not only disrespected the Guru but proved his ignorance besides hurting the sentiments of the Sikhs. I said that he and other non-Sikhs know very little about the Sikh faith because the holy book Guru

Granth Sahib is written in Gurmukhi and so far it has not been translated in a modern philosophical manner. Sikhism is not a branch of the Bhakti Movement of Medieval India, but is an independent and complete religion, and it is as different from the Brahmanic Hinduism as Islam and Christianity are from Judaism. Guru Gobind Singh was not at all a patriot, because worship of land is prohibited in Sikhism. '*Gardhap preet bhasam sang hoi.*' Only worship of the formless Almighty is acceptable. Therefore, the question of his being a misguided patriot does not arise. He professed a benevolent universal religion and he believed that dependent men or communities cannot live a religious life. Sikhism, far from being opposed to Islam, validates the great, primary and original doctrine of Islam of attuning the individual will with the divine will. In the holy book of the Sikhs, Guru Granth Sahib, it is stated in the very beginning that the basic issue of religion is how to bring the individual close to the truth. '*Kiv sachiara hoyiye kiv koorhe tute pal?*' And it gives the answer: '*Hukam razayi chalna Nanak likhia nal.*' It means that by subordinating the individual will to the divine will one can attain the truth, the spark of which already resides in it. The literal meaning of the phrase, 'hukam razayi chalna' is acceptance of 'Islam', or divine will. What is this divine will? Is the definition of this divine will restricted to what is written in any holy book or any one religion? Or it resides in the individual soul from where it springs and evolves continuously, which is the Sikh doctrine? Is the social and political ideology an essential part of religious Islam?

These were the differences of opinion between the Sikhs and Muslims and these were the reasons why the Sikh Gurus fought with the Mughal rulers. There is no

permanent opposition against Islam in Sikhism. Sikhism has no affinity with the sentiment and principle called 'patriotism' propagated by the political Hindus these days. This idea of patriotism is borrowed from the European countries. It is a hybrid of atheism, geo-spiritual attitude of Brahmanic Hinduism and worship of imaginary physical forms of divine deity, which will never be accepted by elevated souls and dispassionate intelligent people, whether they are Hindus or of any other religion. Our Rishis, Gurus and great personalities have held these views, such as, "Ayan nijeh paroveti gananam laghuchetsam udar chitranamat vasddhev kutumbhkam." "Mine and thine are characteristics of ignorant petty-minded people. The wise men consider the whole world as their home and family."

In the twentieth century, after thousands of years slavery and now mad for complete freedom, these protagonists of 'nationalism' and 'patriotism' are not only going against the basic tenets of Hinduism but are corrupting the great Sikh religion as well. They don't understand that Sikhism stands for and professes and propagates universal brotherhood and welfare of all. The idea of nationalism and fickle diplomacy is not the goal of Sikhism and can never be. This nationalism is a very petty, unfair and limited concept, and Sikhism does not subscribe to it.

Gandhiji asked, "Then, don't the Sikhs consider themselves Hindus?" I said, "The Sikhs believe that the Sikhs are the purest form and heir of the eternal and universal concept of Hinduism. The Hindus, who deny Sikhism, are misguided Hindus. These are not my individual views, but the views of our ancestors since ages. During the battles with the Mughals, the Sikhs used to say, "We are Hindus, the Guru's Sikhs." In other words, we

are followers of the universal and eternal Hinduism, guided by our Gurus."

He smiled at my remark of 'misguided Hindus', and then said, "What does Sikhism say about non-violence? You are wearing a kirpan." I replied, "If I talk about the profound concept of kirpan in Sikhism it will take a very long time. Sikhism considers non-violence to be the manifestation of an elevated state of consciousness that comes up spontaneously. But, thousands of years ago when the ideology of the Upanishads took birth in our country, our Rishis had abandoned this gross Vedic perspective saying that karma and sacrifice were the essence of human religion. The fundamental question is about the detachment of the soul from all bondages. Only mechanical action is neither the end nor the means. Do you understand the profound meanings of Geeta differently? Thus, Sikhism accepts spiritual non-violence, but just non-violent acts, humility, taking oppression lying down, and 'offer the other cheek' philosophy may be the commandments for the Christians; they are not the essence of non-violence. Our ancient concepts are of winning over the enemy with love, and conquering anger with calmness. It is ignorance to resist the power and use of weapons. It is a hybrid of spineless sacrifice, Vedic ideology and an interpretation of Christ's Sermon on the Mount. Sikhism does not believe in this cultivated non-violence."

Again, Gandhiji laughed and said, "I am a bania, and you will have to pay for my time that you have taken." Then, more seriously, he said, "Quote anything from Guru Gobind Singh's poetry." I said, "I will recite the mantra of Guru Gobind Singh which is chanted at the time of giving amrit to the Sikhs" Then I recited Swayyie in which military power, political authority, wealth and

property are considered worthless because in the end it all comes to naught. He was lost in thought for some time and then he told me to write all this about Sikhism in detail in a book and give it to him to read. "Sardul Singh ji and Mangal Singh ji have never told me all these things." Then he sent for Mahadev Desai and dictated a short note which was later published in *Young India*, in which Gandhi ji affirmed that it was never his intention to be disrespectful towards Guru Gobind Singh.

Just then, Rajkumari Amrit Kaur ji entered, who started chatting with my wife at some distance. I noticed that Rajkumari ji was wearing a *kara* on her right wrist, the kind that Sikhs wear. She said, "Look at her, this sardarni is a graduate from Lady Irwin College, Delhi. We had opened that college so that the girls who pass out of it would serve the nation. But, she has gone and got married to an ICS officer." An expert in hospitality, fountainhead of decency and the extremely soft-spoken Gandhi ji remarked at once, "No, no, don't say that. This Sardar ji is a learned man and his views are quite unique. Sardarni ji must be the same too. There is no doubt about their patriotism."

During these days only, I was sitting in Gandhi ji's hut one day when Mahadev Desai came in and said, "There is very important news." Gandhi ji said, "There can be nothing to conceal from Sardar ji. Say it." Then Mahadev Desai said that Sir Stafford Cripps was coming from England with the scheme of granting independence to India.

On March 22, 1942, Sir Stafford Cripps arrived in Delhi. The Communal Award was in a way the foundation of the scheme that Cripps had brought of running the administration of India and making a new constitution after the war. Communal Award was the pre-

supposition of the entire structure.

After meeting Gandhi ji and completing my pilgrimage, I took over as Deputy Commissioner in Karnal. The Quit India Movement of the Congress had been launched whose motto was 'do or die'. This period for the British was of life-and-death struggle internally and externally. The Governor of Punjab called me and said, "You have just met Gandhi. I don't condemn you. Many Indians have their sympathies with the Congress and Gandhi's views. And if you too have a soft corner for them, I can understand. But, you also try to understand me. In these circumstances it does not seem proper to give the reins of a district in your hands." In reply I told him everything that had transpired between Gandhi ji and me and about my relations with him honestly, and said, "If you trust me and let me carry on the administration of the district without undue force, then I will fulfill my responsibility of maintaining law and order in my district sincerely. Otherwise, I will go wherever you tell me to go, or even resign my job." The Governor was quiet for a while after hearing me out, and then he stood up and shook hands with me and said, "Go, and stay on in Karnal only. I trust you fully."

While I was in Karnal district, there were no incidents of firing or arson. There were arrests but the Congress leaders of the district were not arrested till they themselves asked me to arrest them. A couple of men from Wardha Ashram who passed through Karnal to go to the Frontier Province as volunteers came to meet me, and one of them even took a loan from me. But there was no incident of burning or violence in Karnal.

Today, after twenty years, I am writing this and the thought comes to me that had there been a native king he would have destroyed me completely without



investigation, without taking the law into consideration.

"Falak ne unn ko ada ki hai khazgi ki jineh

Khabar nahi ravshey bandeh-parvari kya hai."

(God has bestowed the reins of the kingdom in the hands of those who have no idea how to deal with the public compassionately.)

About the scheme which Cripps had come with, the Congress demanded that power in the centre should be transferred into the hands of the Congress now and immediately, which could not be done until the Act was passed in the British parliament in London, and it was impossible to pass the Act in the midst of serious problems of the war. Cripps complained that instead of supporting their participation in the administration, the Congress gives an ultimatum, and Nehru, the president of Congress said Cripps had become "the devil's advocate." (The daily *Hindustan Times*, Delhi, 27th April, 1942.)

Thus, the Cripps Mission failed in 1942 and the Congress launched its Quit India Movement. Had the British left India at once, without making any permanent arrangement for administration, then what would have become of the country? Neither Gandhi ji nor any other Congress leader gave a serious thought to it. At that point of time, in 1942, when the Second World War was raging fiercely and the ships of Japanese forces were at India's borders, if the British had accepted Gandhi ji's proposal and left India without a master, then the blood shed, turmoil and turbulence that would have ensued would have far outshadowed the blood shed that actually happened. And, it would have taken decades to establish a stable government in India. And, it is painful to even think what would have become of self-rule and independence.

From August 1942 till the end of the year, the Quit India Movement continued vigorously, but in the beginning of 1943, the tide turned and the outcome of the war which till then had been against the British took a turn in their favour. By then the backbone of the Congress' movement had also broken. Hence, the British Government became secure from within and without. In January 1944, Gandhi ji wrote a letter to the Viceroy, Lord Wavell from the prison, which reflected his renunciation of the 'do or die' spirit of 1942, and in which he said with great humility and politeness that 'quit India' did not mean that they should leave India but the slogan was meant to indicate the longing for freedom.

Thus, the foundation of cooperation between the British Government and the Congress was re-laid.

Here, it is extremely important to describe the attitude that the prominent leader of the Sikhs, Master Tara Singh adopted in 1942, in order to complete the narrative of the Communal Award.

When the Congress launched its movement against the British, it had very little rapport and influence on most of the Indian army which was conventionally recruited, except the Sikhs. The Rajputs, Jats, Gurkhas, Muslims and Marathas were joining the army in large numbers. The Muslims of Punjab and the Pathans of the Frontier Province, disregarding the diktats of the Muslim League, were joining the army in quick succession. The political and ethnic temperament of these tribes was such that even if the leaders of red-shirts had dissuaded them, they would have continued to get recruited in the army. Of course, if the Akali leaders had propagated against joining the army, it would have had a deep impact. Thus, the number of Muslims of north-west India and Muslims of Pakistani provinces would have increased

astronomically. If, at that time, the British had left India to please Mahatma Gandhi or if the World War had taken a different turn because of which the British had to flee India, then not only the reins of Punjab and Pakistani provinces would have been in the hands of these armed Muslim soldiers who were skilled in warfare and trained to use the latest armaments, but the Hindu land, wealth and Hindu honour of the entire territory from Peshawar to Kanyakumari could not have been saved. Forget about complete freedom, independent sovereign democratic republic and a powerful secular centre!

At this point of time, the Sikh leaders, whose advisor was Sir Jogendra Singh, and whose prominent leader was Master Tara Singh acted with great courage and profound vision. Although the popular newspapers of the country and the common Congress Hindu sentiment considered it extremely condemnable, but the Sikh leaders abandoned the populist praise, and abandoning both praise and calumny, decided that the Sikhs would join the army in large numbers. The outcome of this positive policy was three-fold: (1) The grip of Muslim armed soldiers on the Congress loosened, (2) it thwarted the possibility of establishing Pakistan through army rule in North-West India, and (3) after the 1857 mutiny, for the first time, the British felt confident again that it would not only be an insult to the Sikh valour and injustice but to the entire India if the Sikh honour is restricted by principle of headcount.

In the next story, it will be revealed that the shrewd politicians made use of the first two benefits and the whole country benefitted from them, but the third benefit, by which the Sikhs could have retained their glory, was shunned by the Sikhs deliberately just as the giants had abandoned nectar and taken poison instead being

enamoured by the bewitching damsel. In the present context, the root cause of the giants' defeat and the victory the gods was the giants' carelessness, not the unholy nature of the giants. Actually, the Sikhs are naturally sagelike because their Gurus have taught them to serve all living beings and cooperate with different communities.

In 1943, if the British were in a mood to take revenge, they could have crushed the elements that had launched the 'quit-India' movement as they had done to the Purbias after 1857. However, a few days before Mahatma Gandhi wrote to Lord Wavell from the prison, Lord Wavell had made a speech in the Central Assembly about the political and constitutional future of India, a copy of which he sent to Mahatma Gandhi. In that speech, Lord Wavell said, "Though our main motive at this time is to win the war, but we are equally prepared for the future. The British people and the British Government are keen to see a united, prosperous and independent India. Partition of India is not at all proper because Nature has made India indivisible geographically. Whenever Indians get together and make a constitution of their liking, we are ready to hand over the entire governance to them immediately. We are ready to release all those who had launched the quit-India movement provided they assure us that they would not resort to creating unrest again. We believe that the attempt of the Congressmen is great and they are patriots," etc.

A few days later, the Secretary of State announced from London that the proposals that Sir Stafford Cripps had taken to India, were duly open and the Indian and Congress leaders could start discussing them whenever they wish to.

At the same time, Mahatma Gandhi was released from prison due to ill health. In January 1944,

Rajagopalachari got a formula accepted by Gandhi ji, in which the idea of Pakistan was approved, in principle. Gandhi ji started direct correspondence with Mr Jinnah, but no compromise for the 'Hindu-Muslim conflict' was found. In Rajagopalachari's formula, only those parts of Punjab and Bengal can go to Pakistan where the majority votes in favour of Pakistan, and Mr Jinnah's grievance was that it was a 'moth-eaten Pakistan'. The second item in Rajagopalachari's formula was that if Pakistan is formed then there should be an agreement on matters of trade, means of transportation and common military security. And this, in Mr Jinnah's view, should not be imposed on the Muslims because the Muslims are a different nation.

Finally, in 1947, Pakistan was made on the basis of the first item of Rajaji's formula and the second item was accepted by the Muslim League but, certain derogatory remarks made by Pundit Nehru in a Press Conference in Calcutta scared the Muslims to such an extent that Pakistan and India not only became two separate countries but also enemies of each other. This will be described in detail later on.

In the beginning of 1945, Viceroy, Lord Wavell went to London when he realised that the Indian leaders were incapable of coming to an agreement, and discussed the matter with the British Government. He came back with a scheme to formulate the Executive Council of the Viceroy with equal representation of Hindus and Muslims, which would keep the War Department under its control and hand over all the other rights to the Indians. According to this decision, all the Congress leaders were released from the prisons and the Conference began in Simla on June 25, 1945. In this conference, Mr Jinnah made a strong demand that all the Muslim members of the Executive Council should be the ones sent by Muslim

League. The Congress did not accept this because it was an insult for the Muslims who were with the Congress. For this reason nothing came out of the Simla Conference.

After the failure of the Simla Conference, the political climate changed in England suddenly. In the new elections of the Parliament of London, the Labour Party won with a thumping majority. On August 6, 1945, Hiroshima was bombed, which made Japan lay down their arms. On August 21, 1945, the Viceroy announced that elections for provincial and central assemblies would be held in January-February.

In these elections, the Muslim League attained a decisive victory. In the Central Assembly, the League won all the Muslim seats. Elections were contested for 102 seats, out of which Congress won 57, Muslim League 30, independents 5 and Akalis got just 2. The Muslim League celebrated its victory throughout the country on January 11, 1946.

The British Government was very keen to set a deadline for making the constitution of the country so that they could hand over complete freedom to India without further delay.

With this objective in mind, the British Government sent a delegation of ministers to find a way of holding talks with Indian leaders to set up a Constituent Assembly. This delegation of ministers was called the Cabinet Mission, which reached India in the beginning of 1946. There were three outstanding ministers of British Government, Patrick Lawrence, Stafford Cripps and A V Alexander in this Cabinet Mission.

It was the month of March in the beginning of 1946 that I was sitting in the bungalow of Sir Jogendra Singh on York Road, New Delhi, one day. Sir Jogendra Singh was the Sikh member of the Viceroy's Executive Council at

that time. Sir Jogendra Singh was a highly intelligent, patient and devoted Sikh and a great connoisseur and admirer of learning and knowledge. He was very fond of me and in 1944-45, when I was Deputy Commissioner in Gurgaon, I used to visit him twice a week and he took great pleasure in exchanging views with me on various subjects like religion, politics, art and literature etc. When the topic of the Cabinet Mission came up, he said, "This ministerial delegation of Britain is sincerely eager that before the British should leave India there should be a solid foundation on which the Sikhs should be able to stand on their own feet on a stable footing in Independent India. The association with the Sikhs in the world war has created a very good impression on the British Parliament and the English people. Had Master Tara Singh not been on my side, then the 'Khalsa Defence of India League' that was formed, would not have been successful. May God always grant such clarity to the Sikh leaders so that Khalsa is useful not for India alone but the whole world!"

I asked, "What can they do for the Sikhs? They are going to distribute political power on the basis of headcount, and the Sikhs are not only in minority but they are not in majority in part of the country. How do they want to help the Sikhs?" Sir Jogendra Singh said, "Khalistan on the strength of Pakistan is not the only way for the Sikhs' security nor does it seem to be the Guru's will. The Sikhs are well wishers of united India and the Hindus because we have deep and pleasant relations with the Hindus. But, the Guru has given the life and death of the Sikhs in the hands of Indian Muslims and Islam. There is some divine mystery in this. By opposing the Muslims we will not be able to do much good to the Hindus nor can we benefit the cause of India. By cooperating with the Muslims, the Sikhs can not only resist the exclusiveness

and antagonistic tendencies of the Muslims but can also mediate to establish friendly relations between Hindus and Muslims and India and Pakistan. Only then a stable and united India can be formed which will live long otherwise it will be like a premature and Caesarian birth. This is the real mission of the Sikhs and Sikhism." I said, "On the basis of what you have said, a vague picture of state administration has emerged in my mind, on which I have been contemplating since 1932. I have already mentioned my Cambridge memories on this topic to you. But, has the Cabinet Mission hinted at it or no?" He replied, "No, I have not yet had any detailed discussion with them. But they are keen to find an opportunity to talk to me; this much has been conveyed to me. You come tomorrow. I will find out and invite them to dinner at my place. The foundation of it will be laid at the dinner table only. I have sent word to Amritsar as well, two days ago."

The next day I reached Sir Jogendra's bungalow at eleven o'clock in the morning. I found him in his office at home. He said nothing but pulled a telegram out of his pocket and handed it to me. It read: "You not authorised talk with Cabinet Mission by Panth. If you talk Akali Dal expose you. Giani Kartar Singh Shromani Akali Dal"<sup>36</sup>

I read this and was speechless. After a while, Sir Jogendra Singh said, "If I could be of any service to the Panth at this time, I would die in peace. These Akalis are suspicious that I don't want to let their man enter the newly formed Executive Council of the Viceroy. I don't have many worldly desires left. This was the time that was very crucial and I was in a position to contribute something. Then, as the saying goes, the snake will depart and only a line will be left behind. Now the Britishers are ready to give but the Sikhs are not taking anything. Later on, the Sikhs will keep asking and nobody will grant them



anything. For the last twenty-five years, whatever efforts have been made to protect the Sikhs have proved unsuccessful, thanks to them only. All efforts have failed. It is easier to serve the Guru but very difficult to serve the Panth. But to be insulted by the Sikhs is even more difficult. God knows what is in store for us?"

I did not say anything and came away quietly. Now I remember the words of a Sikh Sadhu Kalyan Das of Vishnudham, Mathura in his book *Sabb ton vadda Satgur Nanak*, 2 volumes, (1962) where he has described in detail on the basis of his eye-witness account how Master Tara Singh did not allow Cripps Mission to grant anything to the Sikhs all because of his obstinacy.

The first and important task before the Cabinet Mission was to facilitate the formulation of the Viceroy's Executive Council with the recommendations of the Indian leaders so that they take charge of the day-to-day administration of the country. Then the Constituent Assembly could be set up. Seeing that there was no consensus among the leaders, the Cabinet Mission proposed that six members of the Congress in which one should be an untouchable, five members of Muslim League, one Sikh, one Parsee and one Indian Christian should together form the Viceroy's Council. But the Congress did not accept this proposal also.

Disappointed, the Cabinet Mission returned to England on June 29, 1946.

There was not an iota of doubt left that the British were eager to hand over the governance of the country to Indians, but the Indians were not able to come to an agreement to take care of it.

On July 6, 1946, the Congress passed a resolution that it is ready to join the Constituent Assembly, without the Viceroy's Executive Council. The All India Congress

Committee passed this resolution in Calcutta. Pundit Nehru was the President of the Congress at this point of time. In his presidential speech and later in the press conference, Nehru said two things clearly: First, that our Constituent Assembly will have the authority to change the pre-conceived bases and their determined boundaries in the draft made by the Cabinet Mission. It clearly meant that the Constituent Assembly made in accordance with the recommendations of the Cabinet Mission would, at once and without the British Government passing a law to that effect, become the Sovereign Constituent Assembly. This was neither legal nor just, because by doing this the entire power to rule India would go into the hands of the Constituent Assembly which had majority of Hindus, and the Muslims would be left absolutely weak and helpless. Needless to say what would become of the other minority communities! This was a gross deception in broad daylight. It would have been suicidal for the Muslims to have accepted it. Thus, after deliberations, the Muslim League realised that foes cannot be turned into friends. Even if this proposal to change the boundaries given in the scheme of the Cabinet Mission had not been there, the second threat that Nehru gave was enough to bring about the partition of the country. Till now the Muslim League, which had won all the Muslim seats in the Central Assembly, was convinced that the unity and integrity of the country under one central government was worth maintaining in one form or the other. This was the foundation of the scheme of the Cabinet Mission and the Muslim League had accepted it sincerely. Sir Sikander Hyat Khan said in his speech that "the Muslims fear that if the Provinces are not free and autonomous, there will always be a danger of undue and unwarranted interference from the Centre, which will be dominated by Hindus.

And, so far as the Provinces with Hindu majority are concerned, they will be on 'velvet' the whole time." (Speech by Punjab Premier, Sir Sikander Hyatt Khan in Debate on Demands for Grants in Punjab. Legislative Assemblée, on March 11, 1941.)

Secondly, he demanded that the weightage of the Muslims in the Central Government should be so much that Hindus, Sikhs, Christians and Parsees together should not be able to dominate over them. The Muslims felt the need to make this demand because the Sikhs could tilt the balance one way or the other. If they joined the Muslims, the Muslims would dominate, and if they joined the Hindus the Hindus would become dominant. And, the Sikhs had decided to join the Hindus. Had the Sikhs convinced the Muslims that they would remain as an independent and neutral entity in the country, then the Muslims would not have felt so insecure, and would not have gone for the partition of the country with so much of determination which in the end they displayed. Seen in this light, although it is correct that the vast territory of East Punjab, West Bengal, Assam, Jammu & Kashmir, Ladakh and Himachal Pradesh have been snatched from the Muslims and the Sikhs to give to the Hindus, it is also correct that if the gross responsibility of the partition of the country was that of the Hindus the subtle responsibility must be taken by the Sikhs as well. One must admit that the responsibility of the partition falls on the stupidity of the Sikhs, as much as on the inherent evil intention of the Hindus and the hoggish mentality of the Muslims who led to the formation of Pakistan which further created complicated problems in the entire region of Asia for a long time. None of them can be absolved of the blame for creating conditions that led to the partition of the country because of which lakhs of people lost their

lives, thousands of women were raped and properties worth billions were destroyed, and several holy places, temples and gurdwaras slipped out of the hands of the Sikhs.

It was decided in the scheme of the Cabinet Mission that the Central Government would have only defence, communications, foreign policy and commerce etc under its jurisdiction and the rest of the subjects would be under the jurisdiction of the State Administration. That is why the Muslims believed that the Hindu majority would never be able to dominate over them. But, Nehru said in his July 6th press conference in Calcutta that the ultimate decision about what comprises defence, communications, commerce and foreign policy would rest with the Constituent Assembly. It was clear that the Hindu majority in the Constituent Assembly could take any decision and even give whatever powers it likes to the Central Government. In short, Nehru made it clear to the the Muslims and other minorities, without mincing words, that after the British depart all the power will be in the hands of the Hindus and not by any hard-and-fast law. This was the motive behind asking the meaning of this word or that, and hair-splitting each word, and stating that the meanings would be decided by the Hindu majority according to its own sweet will, no matter what the accepted meanings of these words may be or what the just, fair, unbiased reasonable men may say. It is appropriate to quote from Alice in Wonderland: "The question is," said Alice, "whether you can make words mean different things." "The question is," said Humpty Dumpty, "which is to be the master — that's all." (Lewis Carrol, *Alice in Wonderland*) Similarly, there is a famous statement of Lenin which means that the basic problem of politics is in whose hands the political power should be. It is very

difficult to believe that an intelligent, learned, and logical man like Nehru should say a thing like this, but, whether he said this in excitement or compelled by his strong inclination and to maintain his ideal of being true in thought, speech and deed, the Muslim League deduced the correct meanings from his words.

Did Nehru not understand that whatever he was saying was not the reality at all? According to him and the Hindu ideology, it will not be accepted in Independent India that the right to decide the meaning of constitutional and legal matters would not be with logical and neutral persons but with the majority, and these terms would not be interpreted according to convention, but by the whims and fancies of people who hold political power. If the views of Nehru, the Congress and the Hindus are really like this then law and constitution becomes meaningless, except that it is the other name for autocratic rule. But, Nehru may not have considered all this when he said that and just uttered them on the spur of an impulse without mincing words. However, if these were the intentions of the Hindus then the Muslims were left with no option but to take a separate state for themselves.

Pundit Nehru had once said before 1947, when he was addressing the Central Assembly in Delhi:

"Always say something which has a hundred aspects so that there is some aspect which can change it." Nehru believed that truth should never be stated in clear terms and one must always keep the door open to deceive and betray. The tenth master, Guru Gobind Singh has said about such people that they are low, petty, and mean and they have no conscience. "*Haman marad bayad shabad sukhavar, na shikame digar va dahane digar.*" The Muslims listened to Guru Gobind Singh's advice, but the Sikhs forgot about it.

In the third week of July 1946, the Muslim League passed a resolution of Direct Action and gave a call to the Indian Muslims to celebrate August 16th as the Day of Direct Action.

Between March 1947 and September 1947, nearly five lakh Hindu, Sikh, and Muslim men, women and children were killed in North West India and in Bengal. One lakh virgins lost their honour and their faith. Fifty lakh people were thrown out of their ancestral birth places and rendered homeless. And property worth hundred billion rupees was lost. This was the fruit of this principle and Nehru's roar that the legal connotations of the words would be under the jurisdiction of the majority's whims and fancies. And the Hindus who form the majority and would come to power would not accept any other accepted, independent and obvious meaning. What Nehru thought was inappropriate but what he said was even more unworthy. It is rightly said that "The religion that harms religion itself is not religion but the antithesis of it."

In this press conference of Calcutta, Nehru deceived the Sikhs through the journalists representing the world media with these words:

"The brave Sikhs of the Punjab are entitled to special consideration. I see nothing wrong or impossible in an area and a set-up in the North wherein the Sikhs can also experience the glow of freedom."

The brave, innocent and gullible Sikhs continued to consider these words as gospel truth till 1950. "*Machhali jaal na janya jal khara asgah, ati siyani sohni kyu kitas vesah.*" Alas! The fish did not realise the trap; why did she trust the beautiful words?

On July 25, 1946, the results of the elections for the Constituent Assembly came out. In Provinces of British

India 296 representatives of the Hindus were to be elected. All of them, except 9, of the Congress got elected. The Muslim League won 73 out of 78 Muslim seats. Thus, the Congress had a clear majority against all the others put together. This Constituent Assembly was to make the draft of the constitution and its implementation according to Mr Nehru's stated principles. None of the non-Congress parties found this trustworthy, for the Muslims it was absolutely sacriligious.

On August 12, the Viceroy invited the President of the Congress to form the Central Ministry. On 16th August, the Muslims took the matter in their own hands. '*Aapan hathi aapna aape hi kaj sawariye.*' Hindu-Muslim riots broke out in Bengal and Bihar, and the Muslim League's Chief Minister in Bengal, Suhrawardi announced that if the Central Government was formed by the Congress then Bengal will be made an independent country. The Viceroy made a new Executive Council on September 2, and Sir Shafaut Ahmad Khan joined it without the consent of the Muslim League. He was stabbed with a knife and killed right in front of the eyes of the author on the mall in Simla. At the same time, bloody Hindu-Muslim riots broke out in Bombay and Ahmedabad. That is when Gandhi admitted that India was "perched on the brink of a civil war."

At this point of time, Nehru tried to bring the blazing fire under control by sprinkling a few buckets of water. He declared that we will take decisions unanimously in the Constituent Assembly, and not on the strength of the majority. But, by now, this was no consolation to the embittered Muslim League. Jinnah said in reply, "I have been stabbed and kind words will not stop the bleeding."

On October 13, 1946, when the Muslim League saw

that the Viceroy had taken the Congress representatives in the Executive Council, they agreed to send five of their representatives, out of which one was an untouchable Bengali, Jogender Nath Mandal. Muslim League continued its struggle for Pakistan even after entering the Central Government. Many bloody riots took place in East Bengal, but the British were eager to grant self-rule in India. Therefore, the Viceroy issued invitations to call a meeting of the Constituent Assembly on November 20th, and the date for the first meeting was fixed for December 9. It had been decided in the scheme of the Cabinet Mission that if the representatives of the Provinces desired they could form the divisions. Hence, if the Muslim representatives of Bengal and Punjab wished, they could stay in their portions and make their own constitution. Now the conflict arose on the point whether symposiums sitting in their own portions can make their constitutions unanimously? Congress said that it could not do so; it would require the approval of the entire Constituent Assembly jointly. This obviously meant that no such constitution will be accepted even in the areas with Muslim majority which is not approved by the Hindu majority. Thus, the Hindu-Muslim conflict came back to square one after all the meandering. The Hindus were adamant on taking the whole political power in their own hands. They did not want to give anything to anyone else.

It was the winter of 1946 when Mr Jinnah had come to Lahore for a day or two. I went to him to pay my regards to him, and during the course of conversation, he said, "Why don't you meet Gandhi ji and Nehru ji and find a way of conciliation?" He looked at me compassionately and said, "Muslims neither desire partition of the country nor separation from Hindus. The Hindus do not wish to defile themselves by the Muslim



touch and are determined to turn them out of the country. The future historian will support me in this." I said, "Gandhi ji is a very religious man." He said, "Whenever Gandhi has come to meet me, he has come to cheat me."<sup>37</sup>

Mr Jinnah was a forthright man, and many times called a spade a spade whether it hit the other person or hurt him.

A few days later, Mr Jinnah openly demanded, "Let the British, before they quit, make an award giving the Muslims their own bit of country, however small it might be, and they would live there, if necessary on one meal a day."

Thus, not finding an end to this problem, the Secretary of State proclaimed from London that one representative of the Congress and one of the Muslim League should come to England so that one more sincere attempt can be made to solve the political deadlock. The Viceroy of India, Lord Wavell suggested that a third representative of the Sikhs should also be invited.

Thus, the British accepted clearly and decisively the role of the Sikhs at the official level, as an intermediary between the Semitic and Aryan in Asia and the whole world because of their spiritual and cultural glory. It clearly meant that there are only three dynamic cultural entities in India who are the rightful and real heirs of political power. Unfortunately, there was no farsighted or intelligent Sikh leader who could understand this profound mystery and build the Sikh politics on it, or no Sikh leader had been allowed to exist.

Some time before this, Sardar Baldev Singh had replaced Sir Jogendra Singh in the Viceroy's Executive Council as the Sikhs' representative and spokesperson. In August 1960, I spoke to him about the background that led to this decision, and he said, "I could not think about

it. I was not very old and had no experience. Moreover, I was convinced that the Akalis are great patriots and the Congressmen are elevated souls. I used to think that the good of the Sikhs is in the shadow of the Congress. Had I known that these rascals are going to do this to us, we would have got something for the Sikhs in 1947..."<sup>38</sup> Then, Sardar Sahib kept quiet, and I did not press the matter in view of his delicate health. Sardar Baldev Singh may have had many qualities such as being patriotic, highly intelligent, trustworthy, reliable and honest. But, when the Sikhs were right in the middle of a storm, the need of the hour was of a leader who was shrewd, farsighted, self-sacrificing, unselfish, practical, experienced and a well wisher of the Panth.

Thus, Jinnah (along with Liaquat Ali), Nehru and Baldev Singh reached London on December 2, 1946. They held talks for full four days, but there was no agreement between the Congress and the Muslim League, and on the morning of December 7, Nehru and Baldev Singh together boarded the plane to return to India. Before taking the flight back home, Sardar Baldev Singh gave the following statement to the newspaper reporters: "The Sikhs have no demands from the British. They will take their decisions directly in consultation with the Congress. The Sikhs have only one demand that the British should vacate India."

What would be the right comments on this? As is said in Shrimad Bhagwad Geeta 11:18-17811:

*"Yatra yogeshvara Krishno yatra partho dhunudhar tatra*

*Shreevijyo bhuti dhruva nitirmatimama."*

It means: Where the leader is selfish, stupid, and foolish there defeat and slavery is for sure and for ever.

No serious interpretation can be made of this rather unwarranted statement until I relate the background of

what a senior British officer, who had personal knowledge about it, said to me in Lahore in the beginning of 1947. The demand of the Sikhs that the British should vacate India was very petty and hollow because the British had already packed their bags and were ready to leave as soon as possible. The question was about getting something for the Sikhs. And to say that we don't want anything from the British; we will take whatever we want from the Congress simply proves that the Sikhs are genuinely very naive and immature in the field of politics. He, who is going to give and go away, will give generously with both his hands; but he who is going to take and keep it in his control will keep his fists tightly closed. This is the a-b-c of political psychology. Haven't our Gurus told us that nobody gives you the kingdom on the platter? "*Kou kisi ko raj na de hai.*" It is given only under some compulsion. Or sometimes, a farsighted enlightened person weighs the pros and cons and gives it up voluntarily. Our elder brothers, the Hindus, who are known for their sharp intellects and shrewd diplomacy, are also famous for their stinginess in matters of giving. Sardar Baldev Singh made this statement because, on the evening of the 6th December, a message had come from Winston Churchill, the most influential person of the British Government that let Nehru go back alone and keep back the representative of the Sikhs in London for two more days so that, with the consultations of the British, some kind of a settlement is arranged between the Muslim League and British "so as to enable the Sikhs to have political feet of their own on which they may walk into the current of World History."<sup>39</sup> Sardar Sahib at once showed this secret and confidential message to Nehru, because of which Sardar Sahib was made to read that statement prepared by him, and Sardar Baldev Singh was told that we should

leave tomorrow morning itself.

My English friend told me even this that when Sardar Baldev Singh had made the statement Nehru prompted Baldev Singh to board the plane first and he was the last to get on to the flight.

Here it may be mentioned that the conversation that took place between Sir Cripps and Sardar Baldev Singh, before he became the member of the Viceroy's Executive Council and had met him as the representative of the Sikhs, had been told to me immediately and I have preserved it in my memory since then. It goes like this:

"Sir Cripps: Sardar Sahib, what should we do for the Sikhs? Our people strongly desire that before leaving we should do something for the Sikhs.

Sardar Sahib: If you are making Pakistan then there should be a Sikh state.

Sir Patrick Lawrence: Theoretically, there is no harm in that. But, where should it be? Look at the map there, and tell us which areas can be made a Sikh state?

Sardar Sahib: (silent)

Sir Cripps: Sardar Sahib, listen to me carefully. Look at this map of India. This is Punjab. If the British Parliament determines that in this area (saying this, Sir Cripps drew a line around the region from Panipat to Nankana Sahib) the Sikhs will have special rights reserved for them, and even if this area goes to either side, no constitution can be made without the consent of the Sikhs. Is this acceptable to the Sikhs?

Sardar Sahib: No, no, my community demands territory up to Jhelum. We are not going to accept this small piece of land."

When Giani Kartar Singh heard this, he beat his head with both his hands three times in front of me.

On December 9, 1946, the first session of the

Constituent Assembly was held under the presidentship of Babu Rajendra Prasad, in which Nehru presented the first and basic resolution, in which it was said:

"In our constitution, adequate safeguards would be provided for minorities... It is our declaration, a pledge and an undertaking before the world, a contract with millions of Indians and, therefore, in the nature of an oath which we must keep."

Was this oath honoured in 1950 when the constitution was made or not? When the chief representative of the Sikhs said in the Constituent Assembly that 'the Sikhs do not accept this constitution, the Sikhs have been cheated and it is against the promises made to them,' they did not even deem fit to answer him. Is it because Nehru had made it clear in Calcutta on July 6th, 1946, that spoken words do not have permanent meanings; the meanings can be changed in accordance with the times? The Muslims had understood Nehru's interpretation very well and had determined that they will separate and make their own constitution, and draw their own meanings later on. But, the Sikhs forgot the Guru's caution that words are merely sounds produced by air, and their meanings are hidden in the depths of the person who articulates them. If the Sikhs had only this shortcoming, may be someone would have taken pity on them and done some kind of justice to them, but the fools that they were, they tried to act smart. Who was going to let them get away with it?

The reasons why the Muslim League had boycotted the scheme of the Cabinet Mission and the Constituent Assembly are now clear. But, the Sikhs also rejected this scheme, and gathering in front of Akal Takhat, hundreds of them wrote promises with their blood that they would die but would not let the scheme of the Cabinet Mission,

in which Punjab and Frontier Provinces were given the freedom to make their own constitution, be imposed. While these letters were being written in blood, Sardar Baldev Singh's message reached that if the Sikhs reject the plan of the Cabinet Mission, then the Akalis' representative will not be taken in the Executive Council of the Viceroy, and some other Sikh leader will take his place. At once, and quickly, the Akali leaders got together on the third floor of the Akal Takhat where amrit is prepared and given to devotees, and sent a telegram that the Sikhs accept the plan of the Cabinet Mission. The blood on the letters had not yet dried.

To cut a long story short, the Sikhs, having cut a sorry figure, entered the Constituent Assembly, but the Muslims stayed out of it. Therefore, the Constituent Assembly had to postpone their sessions.

Quite sure of the fact that the conflict between the Hindus and Muslims was nowhere near a solution, the Prime Minister of Great Britain, Mr Attley proclaimed on February 20, 1947 that the British would leave India before the beginning of 1948 after handing over the political power to the Indian leaders. And, at the same time, decided to send Lord Mountbatten to replace Lord Wavell in March 1947.

A few days before departing from India, Lord Wavell once again asked Nehru that he should somehow try to persuade the Muslim League to come to the Constituent Assembly, and Nehru gave a statement in beautiful and polite words on which Mr Jinnah refused to comment and simply stated that the Muslims will never make a common constitution with the Hindus.

At this point of time, Winston Churchill said during a discussion in the British Parliament: "In handing over the Government of India to these so-called political classes,

we are handing over to men of straw of whom, in a few years, no trace will remain."

In the first week of March 1947, the Congress passed a resolution that Punjab should be divided into two parts – one Muslim Punjab and the other non-Muslim Punjab and Bengal should be divided in the same manner. It meant that except for the parts of Punjab and Bengal with Hindu majority the Muslim League could take the rest of these two provinces to Pakistan.

At the end of March, Lord Mountbatten sent this proposal to England that the British should affect the partition of India before departing.

At this point of time, the Hindu and Sikh members of the Punjab Council gathered in Delhi and passed this resolution unanimously that the welfare of the Hindus and Sikhs is in dividing Punjab so that "proper constitutional arrangements can be made to protect the special rights of the Sikhs."

After August 15, 1947, far from implementing this resolution, no Hindu leader was even ready to talk about it. Whoever raised this topic was dubbed as 'communal', 'obstructionist', 'backward' and 'deserving death sentence'.

The words of Ghalib ring so true:

*"Lo woh bhi kahte hain ki yeh be\_nang-o-nam hai  
Yun jaanta agar toh lutaata na ghar ko main."*

(Now, even he says that I am without an identity. Had I known this would I have let them rob me?)

Lord Mountbatten's proposals were approved and came back on May 9, 1947 and on May 17th, the Viceroy sent for Pundit Nehru, Sardar Patel, Jinnah, Liaqat Ali and Sardar Baldev Singh for discussions.

During these days, Mr Jinnah made two serious attempts to meet Master Tara Singh and Sir Yadavindra

Singh, Maharaja of Patiala so that Muslims and Sikhs could work out something with each other's cooperation. I was closely associated with these events and have a vivid memory of them till date.

In May 1947, I was in Lahore when Mr Jinnah came to Lahore. He wanted to meet Master Tara Singh and get the following proposal approved by him:

(1) Punjab should not be divided and become a part of Pakistan and the Muslims accept that the land from Ravi till Yamuna is the ancestral land of the Sikhs, and this way the Sikhs are a sub-nation of Pakistan who would have special privileges and internal autonomy in their ancestral land.

(2) In Punjab the Sikhs would have 33 percent seats reserved for them and 20 percent seats in the whole of Pakistan, and the Muslims accept the allotment of seats to the Sikhs for sure.

(3) The Governor or Chief Minister of Punjab would always be a Sikh.

(4) The Sikhs would always have 40 percent share of recruitment of Sikhs in the Pakistan army and the same proportion would be in the military high command.

(5) No law or constitution can be passed and implemented in Pakistan which is opposed by the majority of Sikhs, until the apex court of Pakistan rules that the law does not have a direct impact on the Sikhs.

I asked, "Why are you in such a hurry to include the Sikhs? He replied, "If the Sikhs accept the proposal to live alongwith the Muslims, neither Punjab nor Bengal would not be divided. The Hindus are getting India. So they can never get the division of Punjab and Bengal approved by the British. This will be a provincial division on the request of the Sikhs and for the sake of the Sikhs. This division will break the backbone of the Sikhs and the back



of Pakistan. The Muslims are eager to stop this."

Sometime in the first half of 1947, I said to Mr Jinnah in Lahore, "The Sikhs are apprehensive of a state with Muslim majority. They don't have pleasant previous experiences about it." He smiled and said, "It is the Muslims who should be scared. After joining hands with the Sikhs, the first law that will be passed in Pakistan would be to give special protection to the religion, gurdwaras, properties, lives and possessions of the Sikhs. Within six months of the formation of Pakistan, the Hindus in Pakistan are going to get themselves registered as Sikhs, because of which the Sikhs will be in majority and Muslims in minority in Pakistan. Thus, Pakistan will finish and Khalistan will be formed."

I was astounded by Mr Jinnah's insight and sharp intellect.

I shared these views with two top Akali leaders. And the reply I got was "hee hee hee hee, ha ha ha ha."

The *Nitishatkam* has this verse which means: "Just as we can calm down fire with water, stop the ferocity of the sun with an umbrella, control a *mast* elephant with an iron hook, scare the animals with a stick, cure various diseases with medicines, in the same way cures for all kinds of problems are written in the scriptures, but the method by which a fool's foolishness can be destroyed is not written in any book or scripture."

These proposals appealed to me and I thought that this was for the good of the whole of India, as well as the Hindus, Muslims and Sikhs and the spirit of united India could be preserved. I did not come in the front myself but, through two persons of the Sikh Students Federation, fixed a meeting of Mr Jinnah and Master Tara Singh. The meeting was to be held in a bungalow at 11 o'clock in the morning. Master ji reached the venue at 10 o'clock only.

He was briefed about the proposal and he seemed inclined to talk about it, but at quarter to eleven, he had a branwave because of which he left the bungalow from the back door used by the servants. He disappeared ten minutes before Mr Jinnah was to arrive.<sup>40</sup>

A few days later, when I asked Master ji about it, he said, "We cannot have a reconciliation with the Muslims. They killed the Sahibzadas." I said, "The father of the Sahibzadas who were bricked alive in Sirhind was always ready to reconcile with Aurangzeb through talks."

Then he said, "What do we have in common with the Muslims after all that happened in Pothohar?" I understood this. In March 1947, the Muslims, without any provocation, had killed thousands of Sikh men, women and children cruelly according to a pre-meditated plan. It was indeed difficult to strike any kind of treaty with people of such beastly tendencies. But, not impossible. Because, the truth is, which needs to be stated, that even if our brothers, Muslim Punjabis, Pathans and Baluchis have bestial tendencies, they have many sterling qualities as well, and it does not behove the Sikhs and may even harm them not to appreciate them. Firstly, the Muslims' political acumen and worldly wisdom is far superior to that of the Sikhs. After the events of 1947, this needs to be admitted. Secondly, Muslims have many human qualities such as, they are true to their word, they believe in fair play, they are loyal friends, they have the art to win over your heart, and they are kind and compassionate. All these are qualities inherent to them which do not get coloured by pettiness, selfishness or money-mindedness easily. They become cruel and ferocious when they are under pressure, scared or when they get carried away by some religious obsession. The hints of their ferocity in our literature are indications of this interpretation only. The

ferocity that Muslims exhibited in Pothohar in March 1947 was to a large extent because of their fear of the Sikhs much like a snake or lion attacks out of fear, not just like that without any reason. It is not right to lose sight of this fact.

In 1932, the author, Chaudhary Barkat Ali, the real champion of the demand of Pakistan, Khwaja Abdul Rahim, ICS and Shri Shanti Swaroop Dhawan, who went on to become a judge in the Allahabad High Court and was very close to the Nehru family, all four of us were students in Cambridge, and were having tea together when the topic of Pakistan came up. Shanti Swaroop Dhawan was a Hindu who belonged to Dera Ismail Khan, and Chaudhary Barkat Ali said to him, "Lala ji, you know us Muslims very well. Pakistan will have to be granted." Dhawan Sahib replied, "I admit that if a Muslim comes to my house and starts insulting my wife or sister, instead of fighting with him I will hide myself under the bed. But, we Hindus have a powerful weapon in our hands to take on the Muslims. And that ammunition is the Sikhs." All of us burst into laughter at this remark, and I even made a mild protest, "Lala ji, the Sikhs are not as stupid as you think." Again we laughed heartily, but Dhawan Sahib said seriously, "Sardar ji, wait and see, who is stupid. We Hindus may be anything but stupid."

What did the author of this book know then, fifteen years prior to the formation of Pakistan, that Dhawan's understanding of the Sikhs was more correct than mine!

In 1946, when it was evident that the Hindus were going to grant Pakistan and the Muslims are going to take it, a meeting was held in Anand Bhawan, Allahabad, of the top brains of the Hindus to discuss how to make Pakistan smaller and disabled. It was decided that keeping the commercial interests of the Hindus in mind, Calcutta

should remain in India somehow, if Lahore is going to Pakistan, let it go. Then it was suggested that Master Tara Singh should be contacted through Nepal or Maharaja of Bikaner and some arrangement to that effect should be made.

This happened some time in June or July 1946.

In October or November 1946, Master Tara Singh gave this bravado statement in the newspapers: "The Sikhs are hundred percent with the Hindus. But, the Sikhs have one big difference of opinion with the Congress. The Sikhs fear that the Congress might agree to give Pakistan. Pakistan will be made only on the dead bodies of the Sikhs."

In 1928 or 1929, Dr Sir Muhammad Iqbal had once said in a private conversation that the Muslims only desire their protection after the British leave India when all the political power will come in the hands of the Hindus. Then, God forbid, the Muslims should have to suffer the way they had to suffer after their defeat in the battle of Granada, when all the Muslims were thrown out of Spain or converted to Christianity. After this stupid statement of Master Tara Singh, Raja Sir Gazanfar Ali thought about the above mentioned view of Dr Sir Muhammad Iqbal and said, "What makes the Sikhs want to become pawns in the hands of the Hindus, unmindful of their own gains and losses, and make their Muslim neighbours have a blood bath?" History demands an answer to this question even today.

In 1942, one day, Giani Sher Singh, the famous Sikh leader told me in Lahore that in the Lucknow Conference, attended by Giani Sher Singh as a representative of the Sikhs, Pundit Madan Mohan Malviya took Giani Sher Singh aside and said, "Giani ji, you don't worry. Let the British leave. We will make amendments in the

educational system only and throw all the Muhammadanism of the Muslims out of the window."

Giani ji said that it struck him there and then that the Hindus can do just the same to us and finish Sikhism. But, Giani Sher Singh passed away in 1946 and Master Tara Singh was the only leader of the Panth. In those days, Taruna Dal (Sikh Students Federation) had adopted Master ji's pro-Hindu policy.

By the end of 1946, it was evident that the Sikhs, instead of thinking of their own gains and losses, were adamant on not letting the Muslims succeed in their endeavours of self-protection.

In this background, the Muslims of Punjab, like a cat that is surrounded from all sides with no way to escape, took on the Sikhs in Pothohar with venomous ferocity. This should be understood as the real reason of the 1946 carnage in Pothohar.<sup>41</sup>

Then it was suggested that Maharaja Patiala and Mr Jinnah should meet. Mr Jinnah reached Patiala with a few Muslim and Sikh ICS officers, and met the Maharaja, and proposed that the Sikhs are a nation like the Hindus and Muslims. But, because they are not in majority in any particular region, the British cannot give them Khalistan or a Sikh State. But, the British do not want to go away leaving the Sikhs weak and subordinate. Mr Jinnah told the Maharaja with full responsibility that the proposal he was going to put forward will not face any hurdle from the British. The proposal was that instead of demanding a Sikh State, they should demand Greater Patiala, which would include the region between Ravi and Yamuna, all the Sikh estates and some areas of Punjab since they belonged to their ancestors. The Sikh king of this region would be the Premier as the leader of the Sikhs. Then, this region will make a treaty with Pakistan and take all the

rights which have been mentioned earlier. The same night, the Maharaja conveyed the entire conversation to the Congress leaders in Delhi through his Prime Minister, and Mr Jinnah heard of it immediately.<sup>42</sup>

In the light of these two events, if someone blames Master Tara Singh for his alignment with Pakistan or questions Maharaja Patiala's patriotism or secularism, there can be no more gross injustice than this.<sup>43</sup>

In the beginning of 1960, Maharaja Yadavindra Singh published an article in the Tribune, in which he described how Mr Jinnah had made the proposal of making a Sikh State, which neither he nor the Akali leaders accepted. Master Tara Singh quickly denied it and stated that he "had never created any hurdle in the making of a Sikh State." Both these gentlemen are true, but in the background of the above circumstances.

On June 2, 1947 the Viceroy, Lord Mountbatten, again announced the scheme of India's partition. The same night, he said in his speech broadcast on radio that:

"It is my firm opinion that, with the approval of all parties, a united India is the best solution to the political problem of the country. But, we have not been able to get any such proposal that keeps the unity of the country in tact approved by the Indian leaders. The Muslim League wants the partition of the country and the Congress says that this principle of partition should be applicable on the provinces as well, which is understandable. Thus, Punjab, Bengal and Assam will have to be divided and a commission will make the ultimate boundary. The position of the Sikhs, about whom we are worried, is that the partition of Punjab will necessarily divide their community. But the Sikh leaders accept the partition."

After the June 4, 1947 prayer, Gandhi ji admitted that:

"The British Government is not happy to divide the country. But if the Hindus and Muslims are adamant what can the poor Britishers do?"

Muslim League passed a resolution on June 10th and Congress on June 14th that the country may be divided into India and Pakistan.

On August 15 1947, the British left India after handing over political power to the Hindus and Muslims.

The tale of how the Hindus and Sikhs were thrown out of West Punjab on the point of the sword and how the Muslims were thrown out of East Punjab does not have direct connection with our subject which we are describing here.

In January 1950, the ancient name of India "Bharat" was revived and according to the plan of keeping the entire and united political power under the control of the Hindus, the Congress formulated the Constitution of the country, and completely denied the existence of the Communal Award, its spirit, its historical importance and its political need. The Indian Muslims kept silent because they had taken the essence of the Communal Award in the form of Pakistan. And the Sikhs were coerced into silence.<sup>44</sup>

In the second half of August 1947, when the Sikhs and Muslims were busy destroying each other in both parts of Punjab, the British Governor General of India asked Sardar Patel, "What have you thought about the Sikhs?" Sardar Patel replied, "The Sikhs have missed the bus."

The reality is even grimmer. It seems to be that the three Sikh leaders of 1846, Raja Gulab Singh Dogra, General Tej Singh and General Lal Singh had been reincarnated as Maharaja Yadavendra Singh, Master Tara Singh and Sardar Baldev Singh in 1947 to condemn the

Sikhs to the fate of subordination and slavery.

If the spirit and practical arrangement of the Communal Award is not there in the civilised history and politics of India, the Sikhs have no fear of grave consequences through the constitution on the political plane. However, if the roots of the Communal Award are not superficial and disturbing, as we have tried to prove in this essay, the postulates on which the 1950 constitution has been framed, will bear far-reaching and adverse results. The picture of the future forms slowly and not directly, but in an invisible and intangible form, which is not visible to someone who sees the surface only, but the seasoned politicians who have the power in their hands have the ability to see it. But, it is foolish to consider that the invisible is false. To think that the Sikhs have lost all the historical and spiritual powers, out of which they were born, is a grave and fatal mistake. To cheat them and to back out of the promises made to them is neither religion nor good policy. The stable outline of history does not determine man's meanness and ill-intent; it is determined by the Almighty Lord. *"Jo asman na mevni tin nak natha paye."*

The root cause of the partition of the country was that the Muslims thought that there was no uniformity in the thought, speech and actions of the majority. The same is the reason why the unity and stability of the country cannot be reinstated, and will remain so. And, the truth or untruth of it, its existence or non-existence will be decided by the progress of the Sikhs in India. There is no doubt about it.

Seen in this light, the spirit of the Communal Award still overwhelms the existence of India.



1. Sir Mohammad Iqbal had a definite view on this problem that when the Hindus talk about 'common elections', 'one person one vote', 'non-communal state' and 'common self-government', in their hearts they have this shrewd policy that they have to take the political power from the foreigners by making the non-Hindus lower their guard and become careless, and then take over the political power unconditionally. In his Urdu couplet he says: "The Hindu does not lose sight of his selfish interest at any time. Nor does he let anyone know what is in his heart. To me he says that I should give up my *tasbi*, the sign of me being a Muslim, but himself he keeps wearing the sacred thread on his shoulder."
2. Islam is very clear on such principles of patriotism, that this doctrine is not only anti-Islamic but absolutely against Islam. Iqbal gave this 'fatwa' in 1912 about such 'patriotism': "This idol of nationalism that is the outcome of modern civilisation is destructive for the house of Nabi's religion. This will divide the human race into communities. This will strike at the very root of Islamic brotherhood." And, in 1932, when Hussain Ahmad Madni said that the country is the foundation of the community, he said, "This fool stands in the mosque and says that country is the base of community." However, later, Iqbal wrote a letter to Maulana Madni to explain his stand that it is true that the community is based on the country but the foundation of Islamic 'millat' is faith, and not geographical nation. To love one's country and to protect the interests of the country and make

sacrifices for it are natural feelings.

3. The Fundamental State Document, the *mahzar*, promulgated by Akbar "did not curtail the legitimate power of the *ulama* but only stopped their indiscrete use of authority" and it "was designed to bring all matters affecting the life and well-being of his subjects, both Hindus and Muslims, directly under Emperor's control. It sought to obviate the possibility of playing with the life of the people in the name of orthodoxy of Islam." (Rizvi, S A, Dr *Religious and Intellectual History of the Muslims in Akbar's Reign*, Munshiram Manoharlal, New Delhi. 1967 pp. 49 & 50.)
4. On pages 67-68 of Allami's famous book, *Maktubaat*, this royal decree of Akbar is recorded, which he wrote in response to the Amir of Trans-oxania, Abdulla Khan Uzbekh, who had asked whether it was true that Akbar had called himself the prophet and whether he considered the kafirs and non-believers as equals. Akbar replied enumerating the benefits of treating the Hindus well: "The Hindu kings who had always been fighting with us with their military power, have now become a part of my army and are ever ready to establish Islamic rule in every part of India."
5. In the second decade of the twentieth century, when the Muslim psyche, battered by two centuries of slavery, started to take a turn for the better, Dr Sir Mohammad Iqbal wrote an epic poem "Shiqweh", in which he complained that Allah had not helped the Muslims to establish their rule in India and other parts of the world. Then he wrote another poem "Jawab-e-Shiqwah" as a reply from God, in which Allah blamed the Muslims for integrating with the

Hindus. These two poems have been on the lips of Muslim men, women and children and are symbolic of the Muslim spirit.

6. These letters of the Mujaddid "are divided into three volumes which were completed, according to their chronograms, in 1025/1616-17, 1028/1618-19, 1031/1621-22 and contain 313, 99 and 122 epistles respectively." The 534 letters of the three volumes are addressed to nearly 200 persons. Most of them are Sufis... only a small number of recipients being the Mughal officialdom and not more than seventy letters have been addressed to them." (Friedmann Yohana, *Shyakh Ahmad Sirhindi*, McGill Queen's University Press, Montreal & London, 1971, pp, 1-2.)
7. "Accordingly, the leading noble (Sheikh Farid) having been sent by the others as their representative, came to the prince (Salim) and promised in their names to place the Kingdom in his hands, provided he would swear to defend the Law of Muhamet." - Du Jarric, Father Pierre, *Akbar and the Jesuits*, London, 1626, p. 204.
8. *Mukabat*. 1. to 81. p. 106 - (Letter written to Jehangir Qulikhan, alias Lalla Beg of 4000 military rank.)
9. "Occasional outburst of bigotry on the part of Jehangir and his anti-Hindu sentiments may ultimately be traced to the influence of Mujaddid on the fickle-minded emperor." - Dr Mohd. Yasin, MA, PhD, *A Social History of India*. Lucknow, 1958, p. 171.
10. It is written in Azad Bilgrami's (1704-1785) famous book "Shabah-hatalmar" that the prince (Shah Jehan) was a devout devotee of Mujaddid.
11. *A Social History of India*. Lucknow, 1958, p. 177.
12. (Though "Sayyirul-Mutakhareen" is not a reliable

book on history. It is a collection of hearsay and rumours. It says that Guru Tegh Bahadur was imprisoned and killed in Lahore.)

13. "Syed Ahmed Brelvi's jihad was directed originally against the Sikhs in the tradition of Indian Islam... References to the British rule in India in Brelvi's letters to the rulers of Bokhara and Afghanistan and the invitation to them to re-establish Islamic rule in India are of secondary importance... but the primary objective explained in them is still the Jihad against the Sikh tyranny." - Aziz Ahmed, *Islamic Culture in the Indian Environment*, Oxford, 1964, p. 215.
14. Hussain B. Tyabji, *Badraddin Tyabji*, Bombay, 1954, p. 203.
15. Quoted in RC Majumdar's *Three Phases of India's Struggle for Freedom*, Bhartiya Vidya Bhawan, Bombay, 1960, p. 20.
16. "The religious order of Islam is organically related to the social order which it has created. The rejection of the one will eventually involve the rejection of the other. Therefore, the construction of a polity on Indian national lines, if it means a displacement of the Indian Islamic principle of solidarity, is simply unthinkable to a Muslim."
17. "For the setting up of sovereign Muslim states in the North-Western and Eastern Zones of the subcontinent, where the Muslims constitute the majority of the population."
18. (I went to pay homage to the pious grave of Shaikh Mujaddid, the holy place which is illuminated by the divine light of the man who did not bow before Emperor Jehangir and whose energy gives strength to the great religious leaders. He was the protector of the spiritual property of the Muslims in India, and

- Allah had warned him well in time.)
19. Dr Jagannath Rao, MA, PhD, in his review of *The Persian Sufis*, by Cyprian Rice, OP, London, 1965, in the August 1965 issue of the *Astrological Magazine*, Bangalore, p.741.
  20. (Intelligent and enlightened Muslims know that "Anal Haq" is not false, but it is harmful for the Islamic society and Shari'a discipline to declare and preach it openly. (Mystical spiritual secrets should not be preached openly. They can best be stated on the cross at the time of crucifixion, not at the time of explaining.)
  21. Printed in Bulaq, 1274 AH and in Cairo, 1329 AH.
  22. Printed with Abdur Razaq Kashani's *Commentary*, in Cairo, 1309-1321 AH.
  23. Professor Khaliq Ahmad Nizami wrote in the January 1950 edition of 'Burhan' an Urdu journal published in Delhi.
  24. Muhy-ud-din, Ibn-Arabi, *La Sagesse des Prophetes* translated by Titus Burckhardt, Paris, 'Editions, Albin' Michel; 1955, p. 25.
  25. Aiyin-e-Akbari, Part II, p. 203 (English translation).
  26. Dr Shaikh Muhammad Ikram, *Ravdey Kavathar*, Lahore, 1958, p. 209. I have taken a great deal of material pertaining to Mujaddid from the three books on Indo-Pak history written by my friend and classmate Shaikh Muhammad Ikram, MA, D Litt, Pakistan Civil Service for which I am deeply grateful.  
– Author
  27. If Mujaddid had taken the trouble to read Guru Granth Sahib which had been written in book form by then, he would have found the outline of his views in it. "Jag tis ki chhaya jis baap na maya." (Maru Sohele.1.)

28. Mustafa Sabri, Cairo, 1950, III 295-99.
29. In 1928 or 1929, police fired on a congregation of Sikhs in Gurdwara Sisganj Delhi, and some bullets hit against the outer wall of the gurdwara, which infuriated the Sikhs. At that time, Maharaja of Patiala Bhupinder Singh, a moderate Sikh led a deputation to meet the British Viceroy, Lord Irwin, who assured them that the Government would donate the land of the police station to Gurdwara Sisganj in order to stop any further recurrence of such incidents, and take the police station outside Chandni Chowk, and would establish a girls' wing of Khalsa College in this building of the police station, which would be made Sikh Womens' University after a few years. Master Tara Singh strongly opposed this proposal and did not let it happen. And, when I asked him, he said, "This way Maharaja Patiala will become the leader of the Sikhs." However, publically, he gave such arguments in the Urdu and Gurmukhi papers which impressed the Sikhs as though they were mesmerised by him. "Khalsa will not take the police station given in donation... We will not take it for Sisganj Sahib... We will uproot the firangis from India and throw their roots in the salt water of the sea..." Thus, the Sikh leaders have let down the Sikhs again and again.
30. In the beginning of 1978, the author happened to meet Sardar Dalip Singh Kang, the famous advocate of Chandigarh High Court, by chance, who told him, "I will tell you something very interesting. When the Simon Commission reached Lahore Railway Station, I was standing right next to Lala Lajpat Rai..." and he validated the above incident exactly as described here.
31. Bhai Randhir Singh told me in Simla in 1950 that in

the prison Bhagat Singh told him that his friend had fired at Sanders and he had fired at Channan Singh.

32. Bhai Randhir Singh's book, Fourth edition, Ludhiana, 1965, p. 624. The assassin of Punjab's former Chief Minister, Partap Singh Kairon, was Sucha Singh of village Jundu Singha. He had studied in Khalsa College Amritsar. Before he was hanged to death, when his friends went to meet him in the prison, he gave them his 'gutka' with this message, "In these last days I have found great solace in Gurbani. From the scabboard I will wish all of you 'Waheguru ji ka Khalsa, waheguru ji ki fateh'. Please listen to it and convey to everyone. And please put this gutka along with my corpse for cremation." And, that is what he did at the time of his hanging. But, the daily newspaper "Hind Samachar" published from Jullundur, wrote that his last words were "Om tat sat".
33. Sometime in 1935-36, Dr Ambedkar, the leader of six crore untouchables of India, expressed his explicit wish openly that all the untouchables of India should convert into Sikhism so that they get freedom from the slavery of thousands of years. Dr Moonje, president of Hindu Mahasabha and Pundit Malviya ji, the famous leader of Sanatan Hindu world were in total agreement with Dr Ambedkar's view. Copies of the correspondence that was being exchanged between these leaders regarding this matter went sent to Gandhiji for information. When he realised that this matter was about to be put into practice, Gandhi ji published this letter in his newspaper "Young India" without taking permission of both the parties and flaunting all sense of decency, and added that "the inclusion of Hindus in Sikhism is the same as

betraying Hinduism." After this, Dr Ambedkar held direct talks with Sikh leaders on this matter, and the whole country became aware that all the untouchables are about to embrace Sikhism. At this point of time, the foundation stone was laid for Khalsa College, Bombay so that it would become the centre of learning for the South Indian untouchables. This was also the same time when Maharaja Patiala, Bhupendra Singh conceded to marry his sister to Dr Ambedkar to enhance the social status of the newly converted Sikhs of untouchable castes. However, after some time, such harsh differences of opinion arose between Dr Ambedkar and the Akali leaders that Ambedkar and his followers refused to embrace Sikhism and embraced Buddhism instead. The author happened to be in the Bar Room of the Chandigarh High Court one day in 1964, when Sardar Inder Singh Karwal narrated this incident that when the untouchables had openly refused to embrace Sikhism, he asked his neighbour in Lahore, Sardar Harnam Singh Jhalla, MA, LLB advocate (High Court Judge) who was one of the tall leaders among the Akalis to explain what was the real reason behind this change of mind, to which he replied, "What to you know about these things? To let six crore untouchables become Sikhs! And hand over the Golden Temple to the sweepers!" That is how six crore 'Rangrote, guru ke bete' came right up to the door step of the Guru's home, and were kicked out, just as Guru Tegh Bahadur was not allowed to enter Harmandir Sahib. But, the truth is much worse, condemnable and uglier than what Sardar Harnam Singh told Sardar Inder Singh Karwal. The author was aware of it at that very time and made reliable



enquiries later on and was convinced. In 1925, when the Gurdwara Act was made, there were already two parties, one of Sardar Bahadur Mahtab Singh and the other of Master Tara Singh. The party of Master Tara Singh, Giani Kartar Singh, and Ishar Singh Majhail etc the other leaders of the Akali Party were aware that the educated class of the Sikhs was all for gentleman's conduct and abhorred the language of abuse insult and belligerent behaviour, and they are scared too. So, whenever they come into Sikh societies and associations to render social service, they should be treated harshly with abuse, insult and muscle power so that these impotent educated Sikhs leave the Panth alone for ever and accept the supremacy of the Akali Party. With this technique the Akali Party succeeded in sending Sardar Bahadur Mahtab Singh home, Baba Kharak Singh was alienated from the Panth, Sardar Amar Singh, Shere-Punjab was ill-treated and many other from the Sikh intelligentsia were kept at bay, which resulted in the young Sikh educated class gravitating towards communism. The Akalis used the same technique with Dr Ambedkar and his six crore followers and kept them away from the Sikhs and Sikhism. Dr Ambedkar was a seasoned politician and a great scholar. He had realised that the British were going to leave India by the middle of the twentieth century. He knew that after the British left it was only the Sikh tenets and their historical progress that could pull the dalits out of the quagmire of slavery and even give them the self-confidence that the Sikhs have, which would do a world of good for the coming generations. But, for this it was important that the Sikh leadership should be in the hands of

farsighted and intelligent individuals. And, he was dreaming of being one such leader himself, and rightly so. Had the six crore untouchables converted to Sikhism, which Dr Ambedkar desired openly, then in 1947, Dr Ambedkar would have become the representative of the Sikhs in the Viceroy's Council, and the Sikhs would have been given the status of the third heir of India's sovereignty, as had been accepted. And he would have decided how to make the most of this status, and Dr Ambedkar was in no way less clever, diplomatic and intelligent than Mr Jinnah or Mahatma Gandhi. However, had six crore non-Pinjabi untouchables become Sikhs and with the making of All India Gurdwara Act, the dominance of the Akali Party from the Shiromani Gurdwara Managing Committee would have ended for ever and Sardar Baldev Singh's status as the representative of the Sikhs in the Central Government too would not even be considered. When the Akali Party understood this problem and emergency, then after grave consideration, it decided unanimously that Dr Ambedkar and his untouchable followers should be stopped from converting to Sikhism. At this point of time, the brain of the Panth; Giani Kartar Singh suggested that "it is not difficult to cut these educated Sikhs to size. A single stroke is enough for them." In this background, Master Sujan Singh Sarhali was given instructions to go to Bombay and meet Dr Ambedkar. He told Dr Ambedkar in no unclear terms that he was a "sweeper" and what the Akali Party thought of his mother and her character, and then gave him the ultimatum that either he should take amrit and become a Sikh within 24 hours or the Panth will deal with him harshly. After listening to

these purely "Akali" words, Dr Ambedkar took the decision which any educated person would have taken. He assured the Akali Party through Master Sujan Singh that neither he nor his followers had any desire to come anywhere near the Sikhs or Sikhism. That is how the leadership of the Panth and the chair of Sardar Baldev Singh were protected. In the weekly magazine, "Punjab Samachar" published from Bombay on pages 17-18 of the 13th August, 1978 issue, Sardar Narain Singh, Secretary, Guru Nanak Mission, Patiala and former Manager Gurdwara Nankana Sahib wrote a serialised article, "Khalsa College Bombay - Why and How" was published, in which he writes: "Dr Ambedkar was actually inspired by his personal politics that there is a small community of the Sikhs in India, and rather than getting absorbed in it, he could absorb it and become its singular leader... Everyone loved power more than religion and all this was a play of increasing power." Sardar Jung Bahadur Singh, editor of the prestigious weekly paper "Sher-e-Punjab" (which was first brought out by Sardar Amar Singh, the famous Sikh scholar and politician for 20-25 years, after Partition it is run Sardar Amar Singh's son Sardar Jung Bahadur from Delhi) wrote the following about Dr Ambedkar's efforts to join the Sikh world in its special Diamond Jubilee Edition (1911-1971) on page 99, based on his own and his father's personal knowledge "In 1936, Dr Ambedkar wore a turban and came to attend the All India Sikh Mission conference along with his companions, and with the determination to baptise seven crore untouchables, he made his nephew take amrit and become a Sikh. Sardar Amar Singh was thrilled to know that during

his life time the numbers of Sikhs would increase by seven crores. His happiness at this prospect is evident in his writings of those days. But, Master Tara Singh made such a policy soon after that Dr Ambedkar and his followers stayed away from the Sikhs and Sikhism... It is the misfortune of the Panth that Master Tara Singh felt threatened that if Dr Ambedkar's followers embrace Sikhism then he would become the singular leader of the Sikhs and Master Tara Singh would fade away. At that point of time, Sardar Amar Singh wrote in "Sher-e-Punjab" that 'power and wealth are of no significance when it comes to the enhancement of the Panth, for which Guru Gobind Singh sacrificed his four sons and his entire family. We should sacrifice ourselves for it.' In 1936 itself the elections for the Bombay Legislative Assembly were to take place. Considering the Sikhs and Master Tara Singh his own, Dr Ambedkar sent a message to Master Tara Singh that he could make his party win the elections and then become the chief minister of Bombay Province if the Panth would help him with a sum of twenty-five thousand rupees. Master Tara Singh saw this as a golden opportunity to malign Dr Ambedkar and keep him and his followers away from Sikhism. Master Tara Singh came to the office of "Sher-e-Punjab" and told Sardar Amar Singh, "Look at this Ambedkar! He is asking for money from the Sikhs." Sardar Amar Singh said, "Master ji, what do you mean? If Dr Ambedkar wanted wealth, he could have taken millions from the Christians or Muslims, why would he want to convert to Sikhism? He considers us as his brothers so he has asked for this small help. It does not become us to doubt his intentions." Master ji

changed his tone at once and said, "I was scared that you might oppose me in the All India Sikh Mission for giving the money to him. Now that you are willing I will send the money tomorrow." Sardar Amar Singh said with folded hands, "Make sure you don't delay it. Send 50,000 rupees instead of 25,000." Anyway, Master Tara Singh withdrew the money from the account of All India Sikh Mission and instead of making a bank draft or cheque, he handed over the entire amount to his sychophant Master Sujan Singh Sarhali. He told Sardar Amar Singh that the money had been sent to Dr Ambedkar. It was found out only after the elections that the money had been ciphoned off on the way only, and not a penny had reached Dr Ambedkar. On the contrary, aspersions were cast on Dr Ambedkar that he was asking for money to deny him conversion into Sikhism." (Original in Urdu) This money was neither returned to the All India Sikh Mission's account nor sent to Dr Ambedkar. It was used by Master Tara Singh and Master Sujan Singh Sarhali.

34. Many a time specks have blurred my vision. Many times I have seen all the worlds in a single glance. Many times I have seen the land of love from a distance. Many times just a single sigh shatters all the destinations. Go on with courage, never give up in frustration. Many a times you will find treasures on the path.
35. The words that have been spoken Will they ever be uttered again? The cool breezes from the holy land of Arabia ever blow again? My time has come. Will there be another learned man with such insights again? Who can tell?
36. Sometime in March 1947 when Giani Kartar Singh

was the President of Shromani Akali Dal and Dr Gopal Singh MA, PhD, was a close confidant of Giani ji, that there was much tension between Hindus and Muslims in Bengal. At that time, a very wealthy man, Raja and three other prestigious Bengalis came to Amritsar. They met Giani ji and requested him to send some Sikh scholars to Bengal at once so that about five lakh Bengali youth convert to Sikhism from all over Bangal but especially from East Bengal, so that the Sikh population in Bengal rises to 30-40 lakhs which will resist the flood of Pakistan. Giani ji averted the issue by promising to do something about it, but did not do a thing. When Dr Gopal Singh asked him, he revealed his mind, "You don't understand politics. If one crore people convert to Sikhism in Bangal, even then there will be only one Sikh minister in the centre. And he is Sardar Baldev Singh." With firends like this, where is need for enemies? This Giani Kartar Singh died in June 1974 and the Sikh Press deliberately called him 'the brain of the Panth', a 'mendicant politician', a 'unique Panth sewak' etc to misguide the coming generations, but on his bhog, Giani Zail Singh announced to build a memorial for him on behalf of the Punjab Government and proved that the deceased was after all playing on the tunes of the Congress so that the Sikhs don't unite with the Muslims and take the whole of Punjab to Pakistan.

37. "He (Gandhi) is a very tough politician and not a saint." — Lord Wavell, Viceroy of India in *The Viceroy's Journal*, London, 1973, p. 286.
38. In 1949, when the Constitution of India was going to be passed, and through it the Sikhs were totally denied any rights, then Master Tara Singh was the

only Sikh leader who raised his voice against the injustice and made a plan to protest against this constitution based on breach of faith. When Master Tara Singh was on his way to Delhi leading a large contingent of Sikhs in the beginning of 1949, the Home Minister of India, known as "Loh Purush", Sardar Patel got him arrested at the Narela station and kept him behind bars in Almora. At that time, Sardar Baldev Singh broadcast from Akashvani Delhi that Master ji was being "foolish" in expressing his dissent against the Constitution. In the same year, Sardar Baldev Singh specially came to Chamkaur Sahib to commemorate the martyrdom of the Sahibzadas, and in my presence, said in his speech, "The Hindus have made one Sikh the Defence Minister. What more do the Sikhs want?" But, after the death of Sardar Patel when Nehru dislodged him from the Defence Ministry, Baldev Singh fell so sick because of this pain that he never recovered from it, and gave a statement in the newspapers that "the Hindus had deceived me." He forgot all about the deceit and sins he had committed against the Sikhs. Sardar Partap Singh Kairon said in response, "It is a sick statement of a sick man." The famous Sikh political leader, Sardar Joginder Singh Mann told me that before his death, Sardar Baldev Singh had said to him, "It is just right that I am suffering so much pain now. This is how it should be. In my lifetime, I stopped the Sikhs from getting freedom and a Sikh state three times, and have bound the hands and feet of the Sikhs and thrown them in front of the Hindus. May the Sikh Panth forgive me!" "My beloved is now repenting after killing me. How soon he has realised his mistakes and has thought of repentance!"

(Original in Urdu)

39. Sardar Rajinder Singh Bhatia, editor, Illustrated Kaumi Ekta wrote in April 1978 edition, on page 7: "Sardar Baldev Singh himself told us that "I am paying for the mistakes I committed at the time of partition having trusted these Brahmins."
40. On investigating the matter it was known that the British wanted to give this suggestion to the Sikhs that if they are not ready to have any agreement or treaty with the Muslims, they should take the entire region from Panipat up to Nankana Sahib as a Sikh State, which could be given access to the sea also. This Sikh State should then make a treaty with Great Britain for each other's security, according to which twenty-five thousand British army would stay in the Sikh State for ten years, and Britain would give seasoned and experienced British army officers to the Sikh army along with necessary military equipment on the condition that fifty thousand Sikh soldiers would stay with the British army in Singapore, Malaya and other places to support the British army for ten years. After ten years this treaty would be reviewed by the Sikh State or Khalistan and Britain. This way arrangement of Khalistan's security would be satisfactory and the Sikhs would not have to bend before the Muslims to make any agreement. Even the Muslim League was in favour of this because Pakistan would get the protection of a strong "buffer" state like Khalistan, and it was also in tune with Britain's imperialistic interests. But, the Akalis had not let any sagacious leader come to the forefront who could think of the interests of the Sikhs and the Panth. / In February 1947, when I was working in the Civil Secretariat, I was asked to



convey a proposal of exactly the same kind to the Akalis and get it approved by them. Master Tara Singh was not even going to listen to it because it seemed he had gone to some pilgrimage and taken a vow that he would not let the Sikhs have any kind of reconciliation with the Muslims, regardless of whether they live or die. He would not allow the Hindus to get angry with them. It was useless to talk to Sardar Baldev Singh, as would amount to churning water; nothing would come out of it. So, I felt that the only person worth talking to was Giani Kartar Singh who was called the 'brain of the Panth' and the 'saint politician of the Panth'. I explained the whole plan openly and patiently and requested him to accept this proposal in the interest of the Panth and the country. He retorted, "Why don't the British talk to me directly?" I explained politely that no serious and responsible British officer can talk about such matters openly. The reasons are evident. If the Sikhs make this demand, they will accept it. The Sikhs should have this much sense at least." Then Giani ji came down to making trivial and flimsy excuses: "Even if the Sikh State or Khalistan gets access to the sea, where are the ships going to come from?" My reply was, "We will buy ships from abroad, in the same way as India and Pakistan are going to do." "Who will pay for them?" By then I realised that it was not the 'brain of the Panth' who was speaking but his 500-rupee job, for which Sardar Baldev Singh was paying him every month, was speaking. The famous English writer Upton Sinclair has said, 'It is difficult to get a man to understand something when his salary depends upon not understanding it.' / How Akali leaders like Giani

Kartar Singh, Master Tara Singh and other big and small leaders have always been shamelessly and unhesitatingly ready to sell the Panth and the interests of the Sikhs has been described in detail by Sardar Rajinder Singh, editor of the illustrated weekly, Qaumi Ekta, in the June 21, 1976 weekly edition: "It is a matter of changing times. I was introduced to the former Defence Minister Sardar Baldev Singh by the late Giani Kartar Singh. But, it became stronger when we launched 'Qaumi Ekta'. Though we have been witnessing the glory of Sardar Baldev Singh since 1950-51. It was no small matter to be the son of a millionaire father and the Defence Minister of a country like India. On the one hand, he was the Defence Minister in the Congress Government of Pundit Nehru, and on the other hand, all the Akali leaders right from Master Tara Singh danced to his tunes. In actual practice, he was the patron of the Akali Party and a minister of the Congress Party. He held the power in both his hands and could tilt it one way or the other as per his whims and fancies. It has been the greatest misfortune of the Sikh politics that it has been sold to someone or the other. To keep up the tradition, Sant Fateh Singh chose Sardar Uttam Singh Duggal and Lachhman Singh Gill, and to further strengthen the same tradition, the famous contractor Sardar Sohan Singh Bassi made merry at the time of Akali unification. Even at the present moment, the Akalis have no hesitation to sell their souls, but, now there is a dearth of buyers. Anyway, it was well known about Sardar Baldev Singh that he had spent lakhs of rupees in the political circles to keep the politicians on his side. But Giani Kartar Singh revealed an

interesting secret before us, which was later confirmed by Sardar Baldev Singh himself that he had spent lakhs of rupees in the political circles but not a paisa from his pocket or withdrawn from his factory in Tata Nagar. He was as shrewd in business as well. He used to make money from one deal or the other with foreign companies and run his politics with that money. Once, he made a deal of a mill in Bombay. The deal was struck at such a low price that it yielded a profit of ten lakhs immediately even before it was registered. He discovered cotton waste lying in the mill, for which there was no accounting, and sold worth ten-twelve lakhs of it. And, without spending a penny he took ten lakh profit on it. Thus he earned 20-22 lakh of rupees. Out of this amount, as per Giani Kartar Singh, one lakh was offered to him as well, which instead of taking it, he got it deposited in his account with Sardar Baldev Singh only and kept withdrawing whenever he needed it from time to time." — Rajinder Singh. / From this booty he donated five lakhs to the custodian of the Panth Master Tara Singh. Every man has his price, but those who enter the Guru's house with their heads on their palms are invaluable and priceless. No wonder, all tyrants and politicians put a price of their heads.

41. "In 1947, when the British and the Muslim League were trying to achieve an agreement between the Sikhs and Muslim League, I was the biggest hurdle." — Master Tara Singh's self-written editorial, daily "Jathedar", Jullundur, October 11, 1962, p. 2, under the heading "Punjabi Suba Zaroor Banega".
42. In the August 1975 edition of the illustrated weekly "Qaumi Ekta", Delhi, there was an article by Dr

Kirpal Singh of Punjabi University Patiala on pages 17-20, under the heading "Punjab da Batwara te Sikh Neta", in which it is said that "from some time the Sikhs have been discussing that the Sikh leaders did not adopt a firm policy in 1947 because of which an independent Sikh State could not be established. The promoters of this view are Sirdar Kapur Singh (see 'Sachi Sakhi') and Sardar Gurmeet Singh Sarsa (see 'Spokesman, New Delhi, March 1973')." / To prove that the author of Sachi sakhi and Gurmeet Singh Sarsa are talking out of their hats, he says that they are neither professors of History in any university and they may not have read the "famous historian Acton who used to say that with the passage of time when the dust settles down regarding a particular event only then it a historical analysis of that event can be done." / The famous historian Shri Dr Kirpal Singh has not bothered to tell where and to whom the "famous historian Acton" (it appears he is referring to the well known British statesman and Professor of History in Cambridge (1834-1902), Lord Acton) used to say this to. However, Shri Kirpal Singh has given a rationale for his statement based on the following facts: "At that time, (in 1947), the Sikhs demanded a Sikh State... Mr Jinnah accepted the following points: (1) A separate state for the Sikhs should be formed. (2) It will have Sikh army and the share of Sikhs in the Pakistan army will be fixed. (3) This state will be in Pakistan and its security, means of communications and foreign affairs will be under Pakistan. (4) All this will happen only if the Sikhs give up their slogan for the division of Punjab." Then Shri Kirpal Singh goes on say that "on this matter Master Tara Singh told the

author (Kirpal Singh) that he asked Mr Jinnah one question whether this Sikh State can come out of Pakistan in the future, if it so desires or not. And the answer was 'No'." This was very disappointing. Everything fell flat on this point." We need to consider this statement of Master Tara Singh also: "In 1947, when the British and the Muslim League were trying to achieve an agreement between the Sikhs and Muslim League, I was the biggest hurdle." — Master Tara Singh's self-written editorial, daily "Jathedar", Jullundur, October 11, 1962, p. 2, under the heading "Punjabi Suba Zaroor Banega". In 1966, when the Shromani Akali Dal had passed a resolution demanding a Sikh Homeland, even then Master Tara Singh had displayed the same absurd and irrational obstinacy and demanded that it should include the condition that this homeland should be in India but must have the right to move out of it when it desires to do so. At that time I was a Member of Parliament in the Lok Sabha and the principal advisor of Shromani Akali Dal. I stuck to my guns and appealed that now the Constitution has been amended that a separatist demand is a serious offence punishable by law inviting ten years imprisonment. If some Akali has the desire to go to jail for ten years he can follow Master ji's diktat. As for me, I am not ready to stoop to this level of stupidity. Secondly, do the Akalis take the Congressmen to be such fools that they will shoot themselves in the foot by giving the right to Sikhs who are already threatening to divide the country into pieces? Has any ruler or statesman ever given such a right to anyone in the world which the powerless, characterless, spiritless, valourless Akalis

were demanding from Congressmen intoxicated with their victory (except the Sikhs, of course, who handed over the Sikh empire in the hands of the Dogras and put their thumb prints on their own death warrants)? Politics demands that the Hindus should be given firm assurances that even if all the Hindus try to shatter the country into pieces, the Sikhs will fight for the unity and integrity of India till the very end. Only then can they make someone listen to their demand for a Sikh Homeland, leave alone getting it approved. The simpleton, only leader, Master Tara Singh said, "In Russia the states have got the right to separate." I beat my head in disgust and said, "Panth Rattan ji, these rights are on paper only and have been recorded in their constitution to increase their votes in the UNO. No state or individual can even dream of being separate from the USSR. If he dares to dream about it, he will be wiped out and no trace of his family will be left. In which world do the Sikhs live? Why can't we be sensible for a change? I was adamant and with sheer will I brought them around but the entire Working committee of the Akali Dal kept grumbling that "This Sirdar Kapur Singh is very stubborn and hot-tempered. He cannot get along with anyone." Only Sikhs can be foolish enough to hope that they can make a Sikh State in Pakistan and get separated any time from Mr Jinnah or the Muslims. If the only target of the Akalis was not just to save Sardar Baldev Singh's factories in tata Nagar, secure his position as Defence minister, and the demand for a Sikh State was merely to please the Sikhs, then why did they not tell the Hindu congress leaders that the Muslims were offering them a Sikh State, so you also

agree to give us a Sikh State? The Sikh historian, Dr Kirpal Singh's comment on this is that "This too was very disappointing." It is much easier to convince an ignorant person but to convince a PhD historian in the centre of Sikh universities or a "Panth Rattan", or "Wahid Leader", or "Mahan Sant Baba" is almost impossible. Only the Guru may himself be able to put some sense in their heads. It is beyond the capacity of "educated fools" like me. It is rightly said in *Nitishatkam* that "Those who have become pundits with just a trace of knowledge cannot be pleased by God Himself." The truth is that some of our scholars who have dominated the Sikh universities have a definite programme to distort Sikh tenets, Sikh history and interpretation of Gurbani.

43. The same proposal was made by the last Viceroy, Lord Wavell to Maharaja of Patiala, Yadavendra Singh, but the Maharaja was adamant to die himself and let Sikhs die according to their destiny. Lord Wavell recorded the following in his diary: "July 16, 1946 — Left Simla yesterday and called on H H Patiala at Chail on the way down. I had an hour's talk with him about possible grouping of Sikh States and the problems of the Sikhs generally but nothing came out of it." — *Viceroy's Journal, ibid, p. 320*. The Viceroy's personal views about Maharaja Patiala and contemporary Sikh leaders are recorded in the above mentioned book in the idiom of the British political language. He has described Maharaja Patiala in these words: "10-12 May, 1946 — From 11.30 to 1 pm, I saw Ramaswamy Aiyar and Corfield and Patiala. Patiala was chiefly concerned with the Sikhs. He said they were hopelessly disunited... he thought they

(the Sikhs) would inevitably consult him. I could only say that I thought the Sikhs, if they played their cards well, could exercise an influence in the Punjab far beyond their numbers. But they do not usually play their cards well, and are also too fond of cheating (this I did not say to H H." — p. 266. Lord Wavell also had this opinion about Maharaja Yadavendra Singh: "I rather like Maharajah Patiala but I would never trust him very far..." p. 115.

44. "The Maharajah of Patiala, as a patriotic Indian scornfully rejected Jinnah's offer of a Sikh State at the sacrifice of his own State, throne and power..." — Mahajan, Mehar Chand, Former Chief Justice of India, *Looking Back*, Asha Publishing House, Bombay, 1963, p. 242.
45. Pundit Nehru, Sardar Patel, Maulana Azad and Shri Rajendra Prasad had all agreed that at the time of framing the Constitution of India, the Sikhs and Muslims should be given reserved communal representation in parliament, legislative assemblies and government jobs, but Giani Kartar Singh, 'the brain of the Panth' and the 'mendicant politician', without consulting Master Tara Singh or anybody else, having extracted a promise from Sardar Patel through Sardar Baldev Singh that Giani Kartar Singh would be made a minister, gave it in writing that the Sikhs do not demand any reserved representation. When Maulana Azad heard of this he beat his head with both his hands in disgust, and said, "These Sikhs will drown and take the Muslims down with them too." Similarly, the Hindu leaders were ready to accept Hindustani as the national language instead of Hindi, but when votes were counted in the Constituent Assembly, a single vote (thet of Shri



Gurmukh Singh Musafir, which he cast after much calculation) tilted the majority in favour of Hindi, resulting in Hindi becoming the national language. Earlier, this one vote had been pledged in favour of Hindustani. About this, Maulana Azad said, "A wretched Sikh has done a mean thing." All this was told to me by Shri Humayun Kabir, who was then the Petrol and Natural gas Minister, in 1968, in the central hall of the Parliament one day. "Bandgi mein ghat ke reh jati hai ik juye kum-ab, aur azadi mein behar be-karan hai zindagi." (The spirit of the slave tribes is like a dripping pipe while the spirit of people of independent tribes is like a boundless fathomless ocean.)

## ANNEXURE I

### Beginning of Hindu Secular Rule

Written statement filed by Sirdar Kapur Singh, ICS in the Departmental Enquiry against him. (Supreme Court Records in Application No. 2 of 1956, Vol. II, pp. 97-119).

When postings were made in August, 1947 by the new Government of East Punjab, Mr Sachdeva was appointed as the Chief Secretary, with whom I had already worked in the United Punjab where he was the Secretary, Civil Supplies Department and I, the Deputy Secretary in the same Department. That, when a case concerned a Muslim, whether an officer, or a member of the public, the law and the facts should assume convenient and pliant forms to their advantage and the same should display a stern, forbidding and even a wholly distorted visage, when the case of a Sikh or a Hindu was concerned was a proposition which had its advantages and drawbacks for its votaries and dissidents, respectively, but I had long ago experienced the exhilarating freshness of the release that comes when one breaks out of his egocentric self-enclosure, and if displeasure of those who wielded really effective power in the Government in the pre-partitioned Punjab could not deter me from my chosen path, the disapproval of Mr Sachdeva and threats of A.I. confidential reports, or awkward postings or even studied persecution, could not now persuade me to creep back into the enclosed dark cell of sheer self-interest, called euphemistically, 'tactfulness', 'common sense', 'accommodation', and even 'wisdom'. My training in the Moral Sciences and Logic had enabled me to discern the

real relationship between the words and their meanings which they profess to carry and which they are intended to carry. In August, 1947, therefore, I was excluded, it seems permanently, from any appointment carrying real power or vantage in the Government and I was posted as Deputy Commissioner at Kangra. I had hardly been there for five months when I was transferred to Hoshiarpur. Out of these five months, August and September were months of great confusion and communal disturbances. During the remaining three months, the main trends on which the Government set-up was apparently to be broadbased in this Province and the fate reserved for me in this set-up was made absolutely clear to me and gradually, all doubt and ambiguity in this matter was removed by the facts that follow. Broadly speaking, these trends are,

- a) That the law shall not be the same for all and in respect of Congressmen, in particular, the power of the law shall diminish in direct proportion to the former's influence with the group in power.
- b) That the Sikhs as a community are, in some obscure way, not entitled to the rights and privileges of a full citizen in the State, excepting those individual Sikhs who have satisfied some unwritten probationary test of 'conformity'. As a corollary thereof, the Hindu public servants, even when subordinate to Sikh officers, are entitled to privileges and protection analogous to the doctrine of extra-territoriality.
- c) The individual Ministers and individual Secretaries to the Government and other officers on the right side of the former, *qua* those subordinate to them, are *sui generis* repositories and sources of the Governmental powers and law and not the creatures

of law, and to question this doctrine in word or deed was tantamount to 'gross indiscipline' and 'perversity' entailing severest penalties, which may be imposed arbitrarily, not in accordance with the due process of law, and

- d) In the case of the public servants, the guaranteed rights of promotion and protection, were in all cases and in actual practice, severely subject to the pleasure of a coterie of less than half a dozen individual officers, coagulated around the person of the Governor, Shri Chandu Lal Trivedi.
- e) Finally, the fate decided for me was, as far back as 1947, removal from service, by any means and anyhow.

There is documentary evidence on the file in support of these propositions, but since they are not issues in this enquiry, this evidence is not discussed here in co-relation to these propositions. My resistance to these trends, throughout the year and a half of my active service in the new Punjab, has been unrelieved by any streak of light from any quarter, except the moral support of the saner section of the Punjabis, whose courage and good sense must be the ultimate hope of all those who struggle for basic decencies of a democratic civilised society, in this State.

(1) In September, 1947 the Hindu Divisional Inspector of Schools at Jullundur, started making appointments to vacancies, caused by the evacuation of Muslim teachers in the schools run by local bodies, such as, District Boards, which are presided over by the Deputy Commissioners, *ex-officio*. The rules require that such appointments shall be made "in consultation with the Chairmen of the District Boards", but this particular Divisional Inspector

of Schools ignored the Sikh Deputy Commissioners, and when I protested, the Commissioner and the whole Government supported him and illegally regularised the appointments thus made to the advantage of the majority community in the State. His Excellency, the Governor made his personal contribution to the problem by publicly ridiculing, on more than one occasion, what he regarded as, a 'legalistic link' in my brain.

(2) Complaints of loot, arson and murder poured against a Hindu Tahsildar at Kulu, which I reported to the Commissioner. The Commissioner flew to Dharamsala in November, 1947, in this connection and broadly hinted that evidence against this Tahsildar may not be collected. On my failure to take the hint and sending a Christian EAC to collect evidence against him at Kulu in January, 1948, most of the Hindu officers of various Government Departments posted at Kulu made a (trade union) written protest to this EAC against this enquiry and openly opposed collection and procurement of evidence, on the ground that the enquiry had been ordered by a Sikh Deputy Commissioner. When I recommended disciplinary action against these Hindu officers, orders of my immediate transfer from the District were passed and two or three other Sikh officers, who were posted in various Departments in Kulu, but who had failed to make a common cause with the enquiry against the Hindu Tahsildar were summarily transferred from Kulu and the displeasure of the Government visited them soon after. The file of the voluminous evidence collected against this Hindu Tehsildar was disposed of on the ground that 'no evidence was available against him'.

(3) I collected certain documentary evidence and reported certain other complaints, concerning misappropriation of evacuees' property by a senior Hindu

officer under me, Dewan Kahan Chand, EAC in November, 1947 and asked permission of the Government to collect evidence in support of the complaints. My communications on the subject were never acknowledged, and instead, Mr Shrinagesh, the Commissioner, Jullundur Division, called him to Jullundur, in December, 1947, through a private messenger and over my head, and there encouraged him to concoct false cases against me. On his return to district headquarters, after his interview with the Commissioner and Chief Secretary Sachdeva, he contacted my Hindu Assistants, with a message from Government that they should concoct cases against me, and that the Government had decided to remove me from the Indian Civil Service. He further boasted that henceforward, any reports that a Sikh officer might make against his Hindu subordinate, including the complaints that I had made against him, will recoil on the report-maker's head, and that irrespective of any unfavourable confidential report that I might give him, the Chief Secretary and the Commissioner had promised him a promotion within a few weeks. As it happened, Dewan Kahan Chand was duly given a promotion in spite of the unsatisfactory report that he had earned, and the Commissioner openly conspired with him, by taking him around the Kangra District on his tours, in 1948, to concoct evidence against me. He has been produced as a PW in this enquiry, and Mr Shrinagesh, as PW has stated that he had regular enquiries held into the complaints against Dewan Kahan Chand, which I had forwarded to Government, through my successor, Shri Kanhiya Lal. Dewan Kahan Chand as PW has denied that any references were ever made to him, in connection with these complaints either by Mr Shrinagesh, or Shri Kanhiya Lal as PW denies on oath, that he was ever asked by Mr Shrinagesh to make such

enquiries or that he ever did, in fact, make such enquiries. Who of these senior officers appearing as PW against me is a perjurer on the point of shelving serious complaints of misappropriation of Muslim evacuees' property, against Dewan Kahan Chand is for the Court to decide.

(4) On the 8th October, 1947, a meeting of all the Deputy Commissioners, and Superintendents of Police was held at Jullundur, with His Excellency, the Governor presiding, with all the members of the Cabinet and the Chief Secretary present. A gist of the proceedings of this meeting in so far as it is related to certain aspects of the administration and peculiar problems created by 1947 disturbances, in the Kangra District, is given by me in my statement before PW Kesari Chand, Exhibit PW 15(8)/2, in which the Governor, with the full concurrence of the Cabinet present, gave a *carte blanche* to the District Magistrates in the Province to re-establish Government authority and manage their district problems, irrespective of the existing precedents, rules and the laws, on the ground that the Provincial Government was not potent enough to assume full control of and take responsibility, for, the situation created, was never foreseen as a possible contingency in the past. In this meeting the Governor, *vis-a-vis* those elements in the society in the Province, who finding that the Law had failed to protect them during that year had taken the law into their own hands, said, "Whenever you meet one of these, shoot him on the spot. Whenever you hear one of these, order his detention and otherwise do what you will to set them right, and instruct your officers to do the same, and the Government will indemnify you." At the moment, these instructions, emanating from the authority of the whole Government, merely appeared to indicate the need for firmness on the part of the District Officers but their real and sinister

purpose was revealed a few days later, when the Deputy Commissioners received a "Confidential" communication, in the form of a policy letter, dated 10th October, 1947 (Exhibit D. 11/7) informing the Deputy Commissioners that "the Sikhs, as a community, were lawless people and were thus a menace to the law-abiding Hindus in the Province", and calling upon the Deputy Commissioners to take 'special measures' against them. This communication of the Government, determining the policy for the enforcement of law and order in the districts also gratuitously suggested that the motives which usually actuate the Sikhs on a course of lawlessness, are "desire for women and loot." The operation of this policy, in actual practice in the Province, where over 80% district officers were non-Sikhs, with traditions of communal animosity as an integral part of the social and political set-up of the province, when this written policy is interpreted and amplified in the light of the rather immoderate oral instructions of 10th October, 1947, at Jullundur, can well be imagined. When I mildly protested, in reply to this letter of the 10th October, 1947, that 'lawlessness was not in fact confined to a single community in the Province, and certainly not so in the Kangra District, and that with a view to restore law and order in the Kangra District, it was necessary to take action against certain Hindus, including Hindu officers,' the Government did not even acknowledge my letter (Exhibit D. 11/6), and I was soon after transferred from Kangra, and the same Hindu Deputy Commissioner whom I had relieved in August, 1947, was reposted to Kangra as Deputy Commissioner within six months, for which there is no precedent during the last one hundred years in the United Punjab. Soon after my transfer in February, 1948, the Governor fixed a tour of this District and while there, openly invited



and entertained complaints against me relating to my posting period there, from the public, as well as the district officers, and then directed Mr Shrinagesh, Commissioner Jullundur to tour the district, ostensibly with the purpose of going into a report which I had submitted to the Governor earlier, on the affairs of the Kulu Valley administration, but in fact, to discover or create cases and evidence against me, to remove me from the Service. An unattested copy of what purports to be Mr Shrinagesh's report, after his tour of the district, which he undertook in the company of PW Dewan Kahan Chand, who had by then been elevated to the independent and responsible post of the Director of Land Records, is Exhibit PW 18(8)/3, and its careful perusal, along with my report on Kulu affairs on the file, will bear out the real nature of the Governor's instructions to Mr Shrinagesh. In Exhibit PW 18(8)/3, the foundations for cooking up cases against me are already laid, and they are kept purposely vague, and were not properly investigated into for about two years with a view to enable the Government to shape cases against me pliantly, in the light of the evidence that may be subsequently manufactured or procured. With regard to the Policy letter of the 10th October, 1947, (Exhibit D.11/7), it was rumoured soon after, that it had been issued by the Home Secretary under direct orders from the Governor, over the head of the Minister for Home, who happened to be a Sikh, and without even discussing this policy at the Cabinet level, which was the normal and the only proper and constitutional procedure. Not many months were to pass, when the Sikh Home Secretary was replaced by a Hindu Home Secretary, and the portfolio of law and order was transferred to the Hindu Premier, thus removing all vestiges of Sikh influence in the central

direction of the general administration of the Province. Students of the art of Public Administration have known, for a considerable time, that where a society is not completely homogeneous in attitudes and interests, the introduction of the device of "artificial friction" is necessary in the interests of democracy and basic justice. The seamless web of the Government, as it were, is torn and knit together again, and the doctrine of 'communal representation' in Public Services sponsored by the British regime in this country, and suspected of concealing sinister motives behind it, had, for its justification, the desirability of this device of 'artificial friction', with communal harmony and growth of a democratically responsible nation, as its ostensible aim. Quick and efficient execution of a policy, such as was adumbrated in the above mentioned Policy letter, in the communal set-up of this Province, would no doubt demand a Governmental machine that responds easily and completely to the directing impulse, in this case, the communally composite Cabinet, but, if the story about the inception of this Policy letter is true, the Governor in his individual and unconstitutional capacity grossly overstepped his power. For, where there are doubts, and such doubts may be reasonably entertained, where a society has not yet evolved to complete homogeneity of the British people, it might be well to have a government machine that falters sufficiently long for the operator to change his mind. Montesquieu's principle of "Checks and Balances," embodies the same idea, and it was this principle and this device which was the first casualty in the East Punjab. Neither this fact, nor the knowledge which is fairly dispersed amongst the Sikh masses, for they are essentially a historically-minded people, that such a policy against the Sikhs as a people was first promulgated

in 1710 AD by His Imperial Majesty, Farrukh Siyyar (second in succession to the mighty Mughal Emperor, Aurangzeb), which heralded an era of fifty years' most relentless persecution of the Sikhs, did create a sense of security in the minds of the Sikh public and such Sikh public servants as could not or did not want to, adapt themselves to this new spirit that was being injected into the Provincial administration. The further fact that the wording of this Policy letter, had an ominous resemblance to the aforementioned Imperial Edict of 1710, if any thing, added to a sense of insecurity, which gradually grew upon and gnawed into the servants, and my intensity of consciousness of this atmosphere, converted me into a chosen target of those who were determined to see the execution of this policy and all that it implies, through. Anyone desirous of sympathetically understanding the communal distrust prevalent today in the Punjab cannot ignore the facts narrated above, nor could I, as an administrator pledged to loyalty to the professed and declared aims of the Government of India and its leaders, aims of a democratic secular State, and as a Sikh born of Sikh people, and a passionate believer in their way of life, remain unaffected, and this further intensified the hostility and fury of powerful elements in the Punjab Government against me.

(5) Hon'ble Captain Ranjit Singh, a Minister of the Punjab Government, paid an official visit to Dharamsala in October, 1947, and officially directed that the District officials should meet him at a particular place at 10 AM on a particular date. Myself and all the District officials assembled at the place at the appointed time but the Hon'ble Minister refused to see any of us, while he kept himself busy chatting with his private friends till midday and then sent message out that he was unable to see any of

us. Apart from the studied discourtesy involved in it, the conduct of the Hon'ble Minister had kept the District offices idle for half the day, and as Head of the district it was my unpleasant duty to lodge a respectful protest against this. This incident and the following incident infuriated the Hon'ble Minister against me to such an extent that he is directly responsible for the treatment to me which forms the subject matter of Charge No. 6. In this case, this Hon'ble Minister recorded his order in Exhibit PW 2(6)/15, requisitioning my private car against the provisions of Requisitioning of Movable Property Act, not in the interests of public interest, as laid down by the law, but *malafides* and for purposes of punishing me, which punishment the Government cannot legally inflict upon me, except in accordance with the ICS Punishment and Appeal Rules, and on the wholly wrong and fictitious ground that I had contravened some Government order, forbidding Public Servants from purchasing or owning "Chervolet" cars, except with the approval of the Transport Controller, which does not exist anywhere except in the imagination of the Government. Incidentally, here in Exhibit PW 2(6)/15, we have a clear, written and authoritative exposition of certain extra-legal doctrines, on which the working of the present Punjab Government is based. This 'noting' and its contents have passed through the hands of the Home Secretary Bhide, Chief Secretary Sachdeva, Hon'ble Minister Captain Ranjit Singh, the Premier and His Excellency, the Governor, and has received their fullest and unreserved assent in every detail. Unfortunately, the additional note of the Governor to which a reference has been made in the Premier's noting has been detached, which note, in many respects, particularly in its fury against me, and in reiterating the utter desirability of my elimination, and liquidation from

the Indian Civil Service at once, beats all others. Here, the doctrine is unambiguously laid down that there is some extra-legal and inherent power with the Executive Government, by virtue of which, it can issue, "executive orders", modifying or even abrogating the provisions of the statutory law. Further, that such powers vesting in the Executive Government may be used by them, not for a public purpose or interests, but for the purpose of satisfying the personal anger or animus of those in control of the apparatus of the Executive Government, not, as is understandable, ostensibly for the purpose, but in effect and clearly, on grounds of personal anger and nakedly, and by a declaration in writing in a public document, to achieve the latter end. Thirdly, that the Executive Government may make secret preparations to pounce upon the movable, private and essential property of a citizen, with a view to inflict retributive 'punishment' upon him summarily, and without a warning or a recourse to due process of law. In civilised countries, the first is called 'fascism', the second 'gross abuse of power', and the third, 'Nazi terror'. It will further be seen that, throughout this noting, down from the Police Officer, holding the job of the Deputy Transport Controller (Bhagwan Singh), up to the Governor, when the case has passed through the scrutiny of the Home Secretary, the Minister in charge, and the Premier, no body has ever asked for or cared to study the relevant provisions of law or the basic documents, for instance, the Requisitioning of Movable Property Act and the Government orders which are supposed to have been contravened by me, and orders of a most serious and far-fetching character, are suggested, passed and confirmed against me by all these responsible functionaries of the Government. Comments are superfluous.

(6) A close relation of this Hon'ble Minister, who is a gazetted Police Officer, was posted at Hoshiarpur in 1947, and soon after the Government-policy of the 10th October, 1947 was promulgated, he was investigating some case in a small village near Hoshiarpur, inhabited by Sikhs. As is usual on such occasions, he was sitting on a *charpoy* in the centre surrounded by two dozens respectable Sikhs, when his eye fell on a Sikh with an exceptionally long and luxuriant beard. Apropos nothing, so my subsequent enquiries showed, this Police officer jumped from his *charpoy* and attacked this Sikh without a warning, and pulled out his luxurious beard off his chin, trampled it under his feet and set fire to the hair thus pulled out, and trampled upon them. This performance, apparently gave this Police officer considerable and obvious satisfaction, and addressing the assembly of the Sikhs present, he said: "Mark and listen, all of you. You Sikhs think that you are an important people in the Punjab. You are electing Maharaja of Patiala as your leader. Thus and in this way, we, the Hindus, shall trample over your beards and your long hair." Never since the middle of the eighteenth century had Sikhs, as a People, been addressed in this fashion, and almost similar were the words and taunts, frequently addressed to them in the first half of the eighteenth century, by the then Government officials, which turned them, the Sikhs, from peace-loving peasants into a nation of rebels. There was considerable public agitation against this episode, but the Government did not permit any action to be taken against this Police officer, and his conduct was condoned. When in another connection, relating to the incident which follows, I made a mention of this episode, protesting against this highly provocative policy of the Government, the Hon'ble Captain Ranjit Singh proceeded to pass the

above mentioned order against me, and also a recommendation which was, soon after, heartily agreed to by the Premier and the Governor, that I should be suspended from Public Service at once with a view to my "dismissal" from the Indian Civil Service.

(7) The occasion of my protest to Government referred to above came about under the following circumstances. In October, 1948, in a small town, called Mukerian, in Hoshiarpur District, the first public celebration of Dussehra festival in a free India, was held by Hindus. In one of the pageantries, a Hindu besmeared himself with dirt, attired himself in distinctive Sikh forms and appearance in a ridicule-provoking manner, and he was paraded throughout the public streets, with a jubilant Hindu crowd following. This Hindu, disguised as a Sikh, was carrying a dirty plate in his left hand, with cow-dung in it, and at suitable intervals, whenever he spotted any Sikhs within hearing, repeated a mock-reverential tone: "Brethren, I am, by the grace of the Guru, a newly converted Sikh, and here in my left hand, is the sacred food I have brought from the Sikh holy of the holies, the Golden Temple at Amritsar." Some Sikhs, including a Public Servant, who protested against this most ill-conceived insult to the religious susceptibilities of the Sikhs, were promptly put behind bars by the local Hindu Sub-Inspector of Police on the ground that they, the Sikhs, were threatening a breach of peace. I, as the District Magistrate, ordered prosecution of the culprits in this case, and although the case against the accused was under the provisions of the Punjab Public Safety Act, under a "Notified" offence, so that no Court could grant bail to the accused, without giving a finding that "no prima facie case existed," PW Sansar Chand Bhandari, as Sessions Judge, illegally enlarged the accused on bail, without going



into the facts of the case and giving a finding as to whether or not there was any prima facie case. A revision application against this illegal order was kept pending in the High Court for about a year, without disposal, till the Government withdrew the case in October, 1949 and the accused were discharged. The Premier wrote to me a letter No. 2779 PAP, dated 15th December, 1948, suggesting that I withdraw this case from the Court, and I replied in my "Confidential" DO letter No. 2271/SHW, dated 16th December, 1948, giving a resumé of the instances of the organised provocative behaviour of the Hindus against the Sikhs in the Hoshiarpur district, with the active and open and illegal connivance of the Hindu Public Servants, pointing out that the open alliance of the Government with this aggressive Hindu communalism was not in the interests of the country, and that as an honest administrator, I could not take the responsibility for the withdrawal of this case, unless the Government took direct responsibility. No reply was received to this letter, which is now exhibited on the file and which will repay a careful perusal, and instead I was suspended. The case was not finalised in the District courts, till Hon'ble Dr Gopi Chand again became the Premier in October 1949, and he orally directed the new District Magistrate of Hoshiarpur to withdraw this case.

(8) One Lala Jagat Narain, Editor of a daily Vernacular paper of Jullundur, started publishing defamatory articles against me and other Sikh officers in this District requiring the release from legal detention certain friends of his. Defaming a Public Servant constitutes an offence under Section 21 of the Punjab Public Safety Act. His case was referred to the Government, as he is an influential Congressman, but the Government conveyed no orders and Lala Jagat Narain continued publishing defamatory



articles against me and other Sikh officers. He was arrested and cases were registered against him, and as a result, the whole Government shook to its foundations, all types of illegal and contradictory orders as to what action should be taken in these *sub judice* cases, were issued by the Government, and on my pointing out that the Government directions were contrary to law, I was telegraphically directed to hand over charge of the District to an Assistant and present myself at Simla, "without loss of time". Exhibit PW 6(10)/17 is a "Note" recorded by me at Simla on the 7th July, 1948, which may be read as a part of this statement at this stage, to avoid repetition. I was then reposted to Hoshiarpur in spite of my protests, and Lala Jagat Narain and other Hindu papers of the Punjab and Delhi wrote dozens of articles in the months to come, defaming me, but the Government illegally prevents me from taking any action against the culprits. My references, some of them, on this subject, and the persistent refusal of the Government to make any move to protect me from the defamatory attacks, are a part of the file now and may be perused. This is to illustrate the illegal and malafides interference of the Punjab Government in depriving me of the protection of the law of the land, both as a citizen and as a Public Servant, to which protection I was entitled, simply because I declined to carry out illegal orders of the Ministers of the Government, in setting the law of the land at naught in favour of members of a certain community and political party. The Judicial file of the case of Lala Jagat Narain, which was duly summoned, is not now forthcoming from the Judicial records at Hoshiarpur.

(9) Hon'ble Shri Partap Singh Kairon, MA, MLA, a Minister of the Punjab Government and, till recently, the President of the State Congress Committee, and a Member

of the All-India Congress Working Committee, first expressed his displeasure against me when I ordered detention of some Hindu black-marketeers at Kulu in December, 1947, including some Congress workers. The warrants against these gentlemen were "cancelled" by the Government without even calling for a report from the District Magistrate, and without there being any legal basis for these orders of cancellation. When I joined at Hoshiarpur in February, 1948, Hon'ble Shri Partap Singh Kairon caused a warning to be sent to me that in case I repeated my previous mistake of enforcing law against Congressmen, the Government would set me right and "make an example" of me. A reference to this episode is made in Annexure "A" of my Representation to the President of India, dated 5th May, 1950. Again in December, 1948, one Jai Singh of Hoshiarpur, as a complainant in some criminal complaint against certain local Congress leaders, stated *inter alia*, on oath that, he was being harrassed and persecuted by certain local Congressmen, because he, Jai Singh had refused to become party to a conspiracy, allegedly by Shri Partap Singh Kairon and one Pundit Mohan Lall Dutt, MLA, to manufacture false and perjured evidence against me. A document in the handwriting of Pundit Mohan Lall Dutt, MLA, was also brought on record, which was a link in the evidence regarding this conspiracy. I forwarded attested copies of this statement with the documentary evidence to the Chief Secretary and to the Governor, with Registered-Acknowledgement -due letter No. 2469-SHW, dated Hoshiarpur, the 24th December, 1948. On these documents being summoned for exhibition in this case now, the Advocate General has stated that they are "not traceable," with the Government, and the Chief Secretary and the Governor cannot recall ever having received these

communications, containing most serious allegations of a criminal conspiracy against a Minister of the Government and an MLA and a personal friend of Dr Gopi Chand Bhargava, Hon'ble the Premier. Fortunately, I have been able to trace the original postal receipts and office copies of these documents, and it can be conclusively established that they were duly posted to the Chief Secretary and the Governor, and were duly received by them. The third piece of evidence of Hon'ble Partap Singh's direct and personal participation in a conspiracy to manufacture criminal cases against me is contained in my Confidential Registered letter No. 376/SHW, dated 5th April, 1949, to Mr Sachdeva, the Chief Secretary (Exhibit PW 6(10)/11), which may be read here as part of this statement. In this case, an undertrial murderer in the Dharamsala Sub Jail was subjected to third-degree methods, and was made to sign a dictated statement, alleging that, certain forgeries and acts of cheating which he had, by his own confession, himself committed, had been committed by him at my instance, and this statement of a confessed criminal and an undertrial prisoner, accused of murder, made by him, according to his own admissions, which fell into my hands subsequently, because Hon'ble Shri Partap Singh Kairon had "assured" him on behalf of the Punjab Government, that the murder he had committed and the acts of forgeries and cheating committed by him, will be condoned, on the condition that he makes certain statements against me, and showing further that, Hon'ble Shri Partap Singh Kairon had flown him to Delhi, from the Sub jail at Dharamsala, to get him similar and further "all kinds of promises" from the Government of India, was considered a sufficient justification by Hon'ble Dr Gopi Chand Bhargava and the Governor for suspending me from the Service, and then collecting evidence against

me for over a year, before starting this enquiry against me. This murderer under-trial (now a convict under Section 302 Indian Penal Code) was thus persuaded to make three statements against me. One was Exhibit PW 18(8)/2, a dictated application by District officers at Dharamsala to Commissioner Shrinagesh, for this man is only a third class Matriculate and cannot draft in English. The other statement, recorded by PW Lala Kanhiya Lal, District Magistrate, soon after, under the orders and in the presence of Hon'ble Shri Partap Singh Kairon, in the Sub Jail, Dharamsala, and the third, by PW Lakshmi Narain Giani, of the Special Inquiry Agency, under the orders of his boss, Mr Sachdeva, Chief Secretary. In the first statement, he confines himself to saying that he committed certain acts of forgery and cheating at my instance, an enquiry into which acts of forgery and cheating against him was known to be going on already at Hoshiarpur where I was the District Magistrate. This application brought Commissioner Shrinagesh to Simla on the next day, the 13th March, 1949, where the Premier and Shri Partap Singh Kairon both agreed that it was a fit case for Shri Partap Singh Kairon, who, incidentally, had nothing to do with the General Administration or the Anti-Corruption Committee officially, to fly to Dharamsala in the Government aeroplane to interview this murderer in a Jail, and then direct the District Magistrate, Dharamsala to record his statement, not in the open court, but in a cell of the Jail. In this second statement, a number of other allegations of corruption are made against me on which allegations the super-structure of most of the present charges has been built up by the Special Enquiry Agency, working under the direct control of Mr Sachdeva. In the third statement recorded by PW Lakshmi Narain Giani, it is not the case as this PW states

now before the Court, that he recorded this statement with a view to clarify certain points left vague in the second statement, recorded by PW Kanhiya Lal, District Magistrate, Dharamsala. This third statement was made by this murderer, after he had been taken to Delhi by Hon'ble Shri Partap Singh Kairon, and there some kind of a hoax was, it appears, played upon him to make him believe that he had been granted an interview by some top-ranking leader of the Government of India (Sardar Patel) who had confirmed the previous assurances held out to him that the reward for falsely incriminating me in the manner desired, was forgiveness in respect of all the serious crimes he had committed in the past, and also further material rewards. In this third and last statement, allegations are made against me primarily and for the first time, on two additional specific points, by no stretch of imagination arising out of any clarification of previous statements: (a) allegations relating to my supposed lapses from strict sexual-ethics, and, (b) allegations regarding my collections of illicit arms in alliance with Master Tara Singh, the Akali leader, with veiled hints that astrologers had predicted the establishment of a Sikh State in the near future. The first set of allegations were now included in the statement by PW Lakshmi Narain Giani in consultation with his boss, Chief Secretary Sachdeva, not merely for the purpose of providing stimulation to the jaded sexual nerves of the apex personnel of the Secretariat by their sedantic habits. There was also a definite political purpose. Hon'ble Shri Partap Singh Kairon and his other Congress friends had openly entertained apprehensions that I might retire from Indian Civil Service prematurely, and join some political party in the Punjab, other than the Congress, and to meet his contingency it was considered most necessary to besmear my character in this particular

respect, for, once it was generally suspected that my clandestine conduct was at variance with the reputation which I otherwise enjoyed in the public, it would be impossible for me to make a headway in the estimation of the political colleges of those whom they most feared as their possible adversaries in the coming elections. The second set of allegations were in obvious accordance with the picture the men in power in the Punjab Government had been assiduously painting about the aims and activities of the politically conscious Sikhs, so as to secure support for their permanent retention in their seats of power. I request that both the statements of this convict, apart from Exhibit PW 18(8)2, may now be exhibited with the consent of the Advocate General, to enable the Court to appreciate properly what I have said above. It may be added that although the cases of forgery and cheating, which it was originally intended to plant against me, had been completed at Hoshiarpur, over a year ago, and the arrest of the accused effected, they are not being put in the Court lest, before the present enquiry is completed, the accused person might make statements in the Criminal Court trying him, disclosing the whole conspiracy in which high officers of the Government of the Punjab, including certain Ministers, participated, to secure perjured evidence against me. As a matter of fact, this man openly threatened to make such disclosures, when he was sentenced to transportation for life, a few months ago, by the Sessions Judge at Hoshiarpur, in the murder case against him, in utter failure of the Punjab Government to keep their promises, most solemnly and authoritatively made to him, to condone the murder that he had committed, including other serious offences.

(10) In June, 1948, a Sikh temple in Hoshiarpur district alongwith the sacred volumes of the *Guru Granth Sahib*

was reduced to ashes as a result of arson, and information available suggested the connection of two Congress Hindus, Dr Shadi Ram and Chaudhri Balbir, one of them a close friend of Hon'ble Dr Gopi Chand Bhargava, the Premier. They were detained for interrogations by the District Police but they were advised by their friends, keeping a liaison between them and the Punjab Government that, they should go on a hunger-strike atonce. They had hardly been without food for some hours that the Punjab Government issued orders that the District authorities stop their interrogations forthwith. This was done and further interrogation from them, under these circumstances, was obviously impossible. In the meantime, Mr Justice Achhru Ram, directly and thus illegally entertained an application for *habeus corpus* from Chaudhri Balbir, who had been put under detention for his prejudicial activities. Mr Justice Achhru Ram so widened the scope of these otherwise summary proceedings as to include a minute and detailed enquiry into the whole conduct of myself and the Sikh Superintendent of Police at Hoshiarpur, and in his final order, gave it as his finding, concerning the sacriligious arson of this Sikh temple, while the Police investigations were still unconcluded that it could not possibly have been set to fire by a Hindu, as "all Hindus entertained feelings of reverence for the Sikh temples and Sikh scriptures." Since Muslims had left, the obvious hint was that we should plant this arson of a Sikh Gurdwara on a Sikh, which hint I refused to take, and so the case had to be filed as "untraced". I refrain from giving further facts about these *habeus corpus* proceedings, for the Punjab Government is still threatening to take action against me on the basis of what Mr Justice Achhru Ram has said about my emotional and psychological make-up, in his



final order, and merely add that it will be impossible to ignore the whole proceedings of this case, and their background, if it were desired to understand the real causes of the frustration and communal bitterness that prevails in the Punjab today.

(11) At the end of February, 1948, I met PW Kushal Singh in the Civil Secretariat at Jullundur, and he told me that Commissioner Shrinagesh, working on the advice of PW Dewan Kahan Chand, was putting pressure on him to make statements and manipulate evidence, as now forms the subject matter of Charge No. 8 (Palampur Case) against me. As an experienced officer, he was amazed that an ICS Commissioner could become a party to such an intrigue against his colleague and he could not understand how he, PW Kushal Singh, could ever remain in Service, if he took up the false position, as it was being suggested that he should. I admitted that Mr Shrinagesh had grown very vicious against me, but said that I did not know how to help it. A couple of months afterwards, I received intelligence from PW Kushal Singh that Chief Secretary Sachdeva had called him and assured him that no possible harm would come to him if he made the statement suggested to him by the Commissioner. Soon after, I learnt that the Government has conveyed a similar assurance to him through Hon'ble Shri Partap Singh Kairon, in whose Department of Rehabilitation Mian Kushal Singh was then working. I wrote protesting against this conspiracy to Government repeatedly and these communications are now exhibited. I wrote a personal letter to Hon'ble Shri Partap Singh Kairon also, who denied all knowledge of his alleged part in the conspiracy. During those days, Mr Bhide, who was then the Home Secretary, paid a visit to Dharamsala and Palampur, and I was informed that some of the documents, particularly the



entries in the *Books* of PWs Amar Nath and Bidhu Ram, were then forged, at the instance of Mr Bhide. PW Bhide, in the cross-examination has admitted about his visits to Dharamsala and Palampur during these days, but explains that he went there to examine and report on some Transport problem, the exact nature of which he cannot apparently recall. Undoubtedly, it must have been some problem of considerable importance which could only be handled by Mr Bhide's personal presence at an obscure and out-of-the-way place like Palampur. From the point of view of mere Transport, however, Palampur appears to possess no conceivable interest of the the magnitude implied by the explanation of the visits of a Secretary to Government, to Palampur, as well as to Dharamsala. PW Kushal Singh had also obtained the affidavits against me from PWs Rajinder Nath, Sant Ram, Bashi Ram and Joti Parshad, but he was still sceptical as to whether the Governor, as the custodian of the rights of the Superior Civil Services in the Province, or the Government of India, would permit an ICS officer to be victimised, on the ground of such transparently false and made-up cases. His hesitation, so I learnt, was then removed by conveying assurances to him by or, on behalf of, the Governor that my dismissal from the Service was an objective ardently wished for, by all concerned and that no harm will be allowed to come to Mian Kushal Singh as long as he made incriminating statements in this case against me, even though he himself stood condemned from his own mouth. At this stage, I wrote a rather angry DO letter No. 1957/SHW, dated 21st August, 1948 now wxhibited, to the Commissioner requesting that the Premier and the Governor may grant me interviews atonce, so that I may confront them with the evidence regarding his conspiracy against me, the evidence which was then available, on the

presumption that the Governor will, under no circumstances countenance a conspiracy against an ICS officer, but I was declined interviews and it was then made known as further evidence and confirmation of the fact that it was in the State interests that I should be condemned somehow and that, this had the approval of the highest functionaries of the Indian Government. Nor was there anything fantastic about this suggestion, for, although the Government, on the basis of oral statements of PW Kushal Singh and others, suspended me from Service and at one stage even passed orders of my arrest and criminal prosecution, PW Kushal Singh, against whom there was conclusive documentary evidence in this case, and a *prima facie* case by his own admissions, was given promotion after promotion, and not even appearances were kept of holding the scales of justice even between a senior ICS District Magistrate and his Assistant.

(12) In July, 1948, some article was published in an Urdu daily, "Ajit", Amritsar, the authorship of which was attributed to me. The Government, without making any attempt to ascertain the basic facts, formally called for my explanation, by Chief Secretary's Confidential DO letter No. 90-C.S.48, dated 25th August, on the ground that the statement made in this article to the effect that the Sikhs might, at some future date, become a free people, was "very objectionable". I replied by my letter No. 1687, dated 30th August, denying that I was the author of this article or had "published" it, and protesting that things were being continuously presumed by the Government against me, without any attempt at ascertainment of facts. Both these letters are now exhibited, though not in (untraceable) originals. When this reply reached Mr Sachdeva, the Chief Secretary, he at once noted down, more or less, the following advice to the Premier and the

Governor: 'Had there been no Transfer of Power, this officer would have been removed from the ICS long ago. He should now be placed under suspension at once and the Federal Public Service Commission addressed for the removal from the ICS", with which advice the Governor heartily agreed. After all, the Chief Secretary was only a few years senior to me, and though, what might have happened to me or to him if there had been no Transfer of Power, was merely a matter of conjecture, the fact that the Government had kept me in Service for about 14 years, during which period I had crossed my only Efficiency Bar and held charge of about half a dozen Districts, was indubitably there, and also the additional fact that I had been offered continuation of my services in 1947, by the future representatives of the Government of East Punjab as well as the Viceroy, on behalf of the Government of India. There must be some ceremony, some formalities and some good ground, before I might be kicked out of Service so soon, but these considerations had no weight whatever, so it seemed, with the Chief Secretary or the Governor. In the *Alice in Wonderland*, the King of Hearts, at the trial of the Knave, "shouts for about the twentieth time that day: "Let the Jury consider their verdict," without it, it will be recalled, hearing any evidence. "No, no," says the Queen, "sentence first, verdict afterwards." The Premier himself showed me this 'noting' in December, 1948 at Jullundur. The temper and the intoxication of the sense of power of the Chief Secretary with whom the Governor is usually in agreement, left no hope for any fairness for me in this Province, and sooner or later, sooner than later, my removal from the Service was the objective firmly set before the Government.

(13) A close relative of mine had made some unauthorised occupations of Muslim evacuees' property at

Hoshiarpur before I joined the District and had realised and appropriated its proceeds by misrepresenting that the property in question had been duly allotted to him. The Police Officer, within whose jurisdiction this property was situated, reported to me about it and I wrote to the Superintendent of Police to enquire into this case, and eventually, it was reported that it was a case of cheating. No case was actually registered yet, but in the meantime, the Commissioner Shrinagesh called my relative, and told him that the Governor would be glad to hear any complaints against me, whereupon this relative was granted an interview by the Governor, and advised that he should deposit the amount, which he had realised as proceeds of evacuees' property, and when he had done as advised, without, be it noted, my having any information about the same, the Government wrote to me saying that no further action in the matter was considered necessary in view of the deposit of the proceeds in the Government treasury, and I ordered accordingly. The Governor used this case as an illustration of my 'malicious disposition' and took pains to convey this to many of his visitors, and particularly to my Superintendent of Police, without whose co-operation and respect I could not perform my duties as a District Magistrate, for a single day. This occasioned my letter of protest dated 7th November, 1948 to His Excellency, the Governor, Exhibit PW 6(10)/16, to which the Governor made no reply, but directed that this case alone sufficiently warranted my suspension and removal from Service, and accordingly this forms an item of allegations against me in Exhibit PW 6(10)/5, the allegations being that the enquiries which I caused to be made into this case, as a routine matter were "unnecessary." What would have been my fate under this Government, had I taken no action whatever, when the

Police officer had first brought the misconduct of my relative to my notice, is not difficult to image, for, revert to the *Alice in Wonderland* once again, during the trial of the Knave, when a document is just picked up in the Court room, the White Rabbit produces it in evidence, but on unfolding it finds that, "it is not a letter after all, it is a set of verses." "Are they in the prisoner's handwriting" asks a Jury man. "No, they are not," says the White Rabbit, "and that is the queerest thing about it." "He must have imitated somebody else's hand," says the King. "Please your Majesty," submits the Knave, "I did not write it and they cannot prove that I did; there is no name signed at the end." "If you did not sign it," observes the King, "that only makes the matter worse. You must have meant some mischief, or else, you'd have signed it like any honest man." Such instances are so numerous and so may that it will be impossible to make a passing reference to even a small proportion of all of them, here. Every effort was made to drive me out of Service or drive me mad, in defiance of all rules and precedents, and even common considerations of humanity and decency, and all my protests or entreaties against this ill-treatment were of no avail.

(14) One Ram Kishan of Bharolian, a well-known Communist in Hoshiarpur District, went underground to avoid arrest in the summer of 1948 and the Punjab Government repeatedly impressed upon the District authorities to affect his arrest as he was believed to be engaged in activities prejudicial to the State. The information supplied to me was that Pundit Mohan Lal Dutt, MLA, referred to in item No. (9) above was harbouring and giving protection to this Communist and that, therefore, he could not be apprehended. I passed this information on to the Government in the usual routine,

but the Hon'ble the Premier, Dr Gopi Chand Bhargava promptly showed my "Secret" communication to Pundit Mohan Lal Dutt adding that "although Kapur Singh reports against you, I do not believe him", and also directed me in writing that I should take no action against Pundit Mohan Lal Dutt, MLA. I protested against the disclosure of my "Secret" communication addressed to Government to those against whom they are made, and enquired as to what particular respect the Hon'ble Premier did not believe me, but there was no reply. On this account, this Mohan Lal Dutt became my bitterest enemy and published scurrilous articles against me in the Vernacular Press, quoting the Hon'ble the Premier that I was an "undesirable District Magistrate" in the habit of making false reports against respectable Congressmen, such as Pundit Mohan Lal Dutt, MLA. I suggested action against these defamatory publications against me, but the Punjab Government did not condescend to reply. Soon after this, Communist worker Ram Kishan of Bharolian was arrested by the Special Police at Jullundur and his interrogations revealed that, during his underground period, he had received protection and had been harboured by Pundit Mohan Lal Dutt, MLA. I brought this to the notice of the Government, but there was not even a word of regret about the gross injustice and maltreatment the Government had shown me in this matter.

(15) The Commissioner Mr Shrinagesh passed certain orders relating to office procedure in the Deputy Commissioners' Offices, which orders were at complete variance with the Standing Orders of the Government on the subject. In any case, the Rules did not permit the Commissioner to pass any orders on the subject and I pointed this out to him with a copy to Government,

adding that till such time that Government passed orders on my communication, I was adhering to the Standing Orders of the Government. Upon this the Governor directed that it was a case of "gross indiscipline" on my part such as it was considered that any indiscipline, gross or ordinary, was committed by the Commissioner when he set aside Standing Government Orders and without competence and further, whether indiscipline on my part would have been more or less gross, if I had instead, acted upon the Commissioner's orders and thus disobeyed the Government's Standing Orders, is not clear. This is an item of allegations against me in Exhibit PW 6(10)/5. All such allegations and my comments in Exhibit PW 6(10)/5 and allegations and my comments in Exhibit PW 6(10)/7 will pay a careful perusal on the point of how the Government was determined to harrass me in every conceivable manner.

(16) Mr Bhide was appointed the Home Secretary in July, 1948 and remained in this post for about a year. To begin with, he issued a secret Policy-letter dated 28th July, 1948, No. 11201-13-SB (Exhibited) in which the District Magistrates were directed not to put into operation the provisions of the Punjab Public Safety Act, without the Government's prior consultation in each individual case. I wrote back saying, (Exhibit PW D11/2) that this direction was *ultravires* of the powers of the Government, since the Legislature had created a number of cognizable, non-bailable, substantive offences which were governed by the provisions of the Criminal Procedure Code. Just as Indian Penal Code cannot be put into abeyance by a mere "Secret" letter from the Executive Government, similarly these provisions of the Punjab Public Safety Act shall have to be repealed or amended by the Legislature if Executive Government wanted no action on them. The point

involved was an elementary one, that of the separation of powers of the three traditional organs of the Government, Legislature, Executive and Judiciary, but there is ample evidence brought on the record of this case that Mr Bhide, in particular, and the Punjab Government, generally, either through ignorance or through purposive wilfulness were determined to arrogate to the Executive Government all the three functions, not through a due process of law, as the Nazis did, but clandestinely and by means of "Secret" written and oral directives to the District Magistrates and other officials and anybody who objected, committed an act of 'indiscipline', "flouts orders of Government from the Hon'ble Ministers, down to the Secretaries to the Government" and must be removed from Service, so that this Province may be made "worth living in", as Mr Bhide so strongly feels and says in Exhibit PW 2(6)/15. I am tempted to quote here a passage from the *Goebbel's Diaries*, for 1942 recently unearthed by the Americans and published recently (1948) by the Doublday and Co. Inc. of New York. Under March 20, 1942, in a long entry, there occur the following observations by Dr Goebbels:

"The Fuehrer has decided to rule with a heavier hand henceforth... I proposed a law to the effect that whoever violates the commonly known principles of National Socialistic leadership is to be punished... (We must have) an entirely new basis to lay our hands on those who have so far eluded us. Schlegelberger, the Under Secretary in the Ministry of Justice, always refused any requests on the ground that there is no legal basis for my action. That basis could be created by a proper law... Justice must not become the mistress of the State, but must be the servant of State Policy."



This passage may be profitably and favourably compared with the Secretariat noting in the Punjab Government, accidentally brought on the record, as Exhibit PW 2(6)/15 and this Court very *wisely* directed after this Exhibit saw the limelight of this enquiry that, in future, even the originals of documents to be exhibited should not be brought to the Court, for there may be some noting on them by the Secretaries and the Governor and this noting may not be fit for being subjected to an impartial scrutiny. I know some of the noting that has been made in the Secretariat, since August 1947, particularly by the Governor, Chief Secretary Sachdeva and Home Secretary Bhide, and certain Ministers. The above excerpt from the *Goebbel's Diaries* is a respectable document of well-considered and responsible writing by an important functionary of the State, as compared with most of the Punjab Secretariat noting. Possibly, for reasons of spiritual kinship, I felt keenly interested in the fates that may have overtaken Under Secretary Schlegelberger, who refused requests on the ground that "there was no legal basis" for them, but the said *Goebbel's Diaries* are silent on the point, though I know that the Punjab Secretariat noting on the point of my predetermined fates, is quite honest and frank ever since the year 1948. The Premier, Dr Gopi Chand Bhargava paid a visit to Hoshiarpur in December, 1948, and he showed me some of this 'noting' and gave me kindly advice. He said, "You keep on writing, this order of the Government is illegal, this letter of such and such Secretary is wrong. Why don't you let the Government run smoothly? Besides, every Secretary is now your enemy, for your letters have to go on record and the office people see them and thus the Secretaries feel humiliated." I said, "Does not the Governor support me?" He replied, "I might extend you my protection, if the Government were

not so furious against you." I, thereupon, offered to retire prematurely, but the Premier persuaded me not to do so, in "the interests of the country" (that is Bharat). The next I heard from him was, the Order of my suspension. If the Secretaries did not like being pointed out their mistakes, why were the Ministers supporting them? I know the answer, from my personal experience, as a District Magistrate. Whether in Criminal cases or in cases of Preventive Detention or other administrative matters, if the person proceeded against or concerned has a political pull and can be useful politically, and with the extension of democratic privileges to adult suffrage, almost every adult becomes so useful, the Ministers would like to have their say in each such case. This is possible either by reducing all District Magistrates to mere minions, or by gathering the threads of the day-to-day administration into the hands of the few who rule from Simla. I have, out of a sense of duty, as well as in response to often repeated appeals of the great Indian Leaders that the Civil Services should go on performing their functions in accordance with rules and the law and that the Government of India would protect them, resisted, to the utmost of my ability, the extension of both of these trends, in this State and this is the key to the limitless irrational hatred in Government circles against me. The documents brought on the record (Exhibit PW 2(6)/22, 2.(6)20, 2.(6)/21 relating to the day-to-day interference of the Executive Government, in the application of the provisions of the Requisitioning of Immovable Property Act, illustrate the same point.

(17) There is an institution called *Gandhi Ashram*, at Oel, in Hoshiarpur District, with which Dr Gopi Chand Bhargava has been associated for over ten years and continues to be so associated even after he became Premier in 1947. During and after August, 1947 disturbances, the

Manager of the Ashram was alleged to have extensively participated in loot of Muslim property, and even set up some kind of Governmental authority, making appointments of village officials. I started enquiries into his conduct and a large number of cases of loot and misappropriation were unearthed and ample documentary evidence was available to show that this follower of Mahatma Gandhi had actually made appointments of village officials, for consideration. I was sent oral messages to hush up this enquiry a number of times, which I ignored, and then the Premier wrote me an official letter, now exhibited on the file, (DO letter No. to 1215-PAP, dated 3rd July, 1948), that I must stop all action in this case. This letter also forbade action against Pundit Mohan Lal Dutt, MLA, who harboured the underground Communist agitator and whose case has been mentioned above. The voluminous file of the case of this Gandhi follower of Oel, was summoned by me in this enquiry and the Advocate General now states that it is not "traceable".

(18) For reasons of delicacy, I refrain from giving the facts of the visit of Lady Trivedi, to Hoshiarpur in about January, 1948 where she went out of her way to degrade and insult me before the public when I went to receive her in my capacity as Deputy Commissioner of the district, but this was a part of the organised campaign of persecution sponsored by the Government against me, because I would not bend my will before certain highly placed individuals in the furtherance of politics, which I believed to be against my conscience, and against the law and the public policy.

## ANNEXURE II

### Conclusion

These concluding words are also and primarily meant for and addressed to our great Prime Minister, Shri Jawahar Lal Nehru. I had sent him a copy of my Representation of 5th May, 1950, so that he may know, what his letter against me, sent to the Punjab Government in February, 1949, had resulted in. No doubt, he and his Government hold that the end justifies the means, and so long as they can get me condemned eventually, nothing else matters. Let him now see these submissions also, to see what further means became necessary to achieve the end. The sequence of events now nearing completion was started by the wish of the late Deputy Prime Minister of India, that an example should be made of me for offering Master Tara Singh a cup of tea at Hoshiarpur in 1948. Shri Chandu Lal Trivedi, the Governor of the Punjab instigated the wish and certain Punjab politicians fortified it, because, as a District Officer, I resisted the evil designs of the Punjab Government to enflare Hindu-Sikh riots in the Punjab and to create communal bitterness where none existed before. I resisted the pretensions of the Congressmen, high and low, that each one of them, *sui generis*, was the source of Governmental authority. My *Fortnightly Confidential Diaries* to Punjab Government, now a part of the records of this case, will show with what anguish I viewed these trends, for which the blessings of the late Deputy Prime Minister have been constantly claimed in the Punjab. Now I know the penalty for what I did.

But before I am finally silenced there is something I should like the Prime Minister of India to know. For, if all

public servants must now become courtiers, one in the final stages of liquidation may, at least, be permitted to speak freely. Most portentous things have come to pass in this country, since 1947. A Power has come to reside in the little finger of the Prime Minister and by a mystical process of transference, in those who act in his name, such as is rare in mortals of this Earth. When this little finger is raised against a citizen there is no safety, no hope for him left. 'Abandon ye, all hope henceforth,' his ears hear from all sides. What is a wretched Public Servant before this Power? For a year and more the Government may engage in a naked, unabashed conspiracy, to ruin him from Public Service and restrict his movements and cutt off his communications, to gain another year for the continuation of this patriotic activity, with the full approval of the Government of India, whose legal and moral duty it is to protect the public servant. The public servant may then be tried by specially selected judges, and may be found guilty of any charges that please the fancy of the Government, through a specially devised formula. And what sovereign remedy this formula is against all those whom the Government do not like, a formula of which the Inquisitors and the Star Chamber Judges of the past, dreamt as a dream of their heart. What the Prosecution witnesses say is the truth, but only in so far as it supports the articles of the Charges. Anything which they say, but which goes in favour of the innocence of the public servant, is false, for reasons which are grounded in the Pure Reason, and not because evidence on the file contradicts. Of course, any part of theie statements that can be twisted or perverted to support the articles of the Charges is true. The public documents and the documentary evidence must also be subjected to likewise tests. The laws of evidence, the rules of prudence and the

provisions of law, and the defence evidence desired to be tendered, may be ignored and excluded to the extent that it is inconvenient to the Government. Thus, any innocent reputation or innocuous career may be ruined, without remorse or regret. If the inventors of this process are Governors, does the process thereby become excellent? If the architects of this formula are Chief Justices does it become honourable? "Shall you be governed by pen or sword?" said the statue of Lawrence at Lahore. Shall you put your conscience and integrity into voluntary liquidation or be damned through a judicial enquiry, so called? With the powers and authority for which the Mauriyas dreamt and for which Aurangzeb prayed and toiled, the powers and authority which the foreign Viceroy believed they possessed but dare not use, with such powers and authority in the palm of his hand, has it really become necessary for the Prime Minister of India and his Government to adopt such means and to pursue such ends?

The Prime Minister of India is now at the height of his powers and glory. This is no consolation to those who suffer by his little finger. When a complainant was told by a great conqueror King of the past that he, His Majesty, could not be expected to stop all highway robberies in his far-flung dominions, the pertinent rejoinder of the complainant was: Then why has Your Majesty annexed such vast territories? Two thousand years ago, a great and powerful man was warned by an obscure citizen: "Beware of the Ides of March." My humble warning to our great Prime Minister is: "Beware of those, citizens and public servants, who never displease you."

### ANNEXURE III

#### The Tale of Here and Hereafter

Lend ears, my moon-faced beloved,  
To this story of things profound.  
A new answer to the old question of love  
I propound.  
It was when the First Things began  
Long, long ago, countless aeons  
And numberless spans of Times.  
Neither the Sun nor Moon, nor earth nor stars  
nor galaxies were yet formed and shaped.  
In the Balance of Nothingness  
The Potential of all that is  
was lying dormant, unmoved, undifferentiated.  
In that integument concealed, in pre-mitotic state  
rested the scented seed of our mutual love.  
And lo, your black tresses became luminescent.  
And there began the solar systems,  
the solids and the Space.  
And you smiled and my heart throbbed,  
a heart numb with the wounds of your  
sharp-tipped eyelashes.  
The citizens of the Metropolis of Love  
my charmer, are thus revived again and again,  
out of their stupor of love.  
This is the ancient Law.  
Turn your beautiful face backwards  
for a while from the mirror of your dressing table,  
— my dear one.  
And behold a new dust storm gathers on the horizon,  
And shrill voices proclaim:  
    'We shall dig up the Earth entire,

and scatter its dust to winds of the four quarters.  
 We shall pluck the stars of the firmament,  
 and sow them in our backyard garden.'  
 A hundred pice for rupee one.  
 The same as 'the One and Many become.'  
 Behold, the four and sixty become a hundred.  
 And God and Man equate.  
 Sixteen annas equal eight two-annas.  
 For buying a two-anna, one pice more.  
 And for selling a two-anna, one pice less.  
*Ghar ghar aur aur mat hoi*  
*ek dharam par chale no koi*  
 (For each one a different rule:  
 There shall be no law the same for all.)

## II

I see your limpid cervine eyes  
 are wet with pearly tears.  
 Not so my beloved, it makes my heart sink.  
 My mythic *svanti* drop locked  
 in the shell of avicula oyster,  
 does not mature into a pearl till given  
 a long long period of uninterrupted warmth and peace.  
 The *udambra* lotus heralding a new Age in the World,  
 blossoms not in the Cosmic Ocean,  
 till the skies are swept clean of the dusts of Ages.  
 But behold, the skies are overcast with smog  
 that threatens to darken the four quarters of the earth.  
 This, beloved, I do not see:  
 That deadly poison makes mortals immortal.  
 Never shall I believe, darling, this lie as true:  
 That by eschewing moral restraint and fear of God,



human societies prosper and endure.

'New pice and a new calendar.

We are omnicompetent.

*Abracadabra, mu, nu, gu.*

We are the lords of the earth.

We control the spirits of Darkness.

We are the founders of the Decimal System.

We are the promised Messiah.

We are the primeaval Atom.

We are the pater-patriarchs of the human race.

*Likhe jantra kete, rate mantra kotam,*

*bachega na koi kare kal kotam.*

(A thousand charms and a million incantations, shall not save man from the Day of Judgment.)

## ANNEXURE IV

### Betrayal of the Sikhs

*6th September, 1966*

MR CHAIRMAN: Motion moved:

"That the Bill to provide for the reorganisation of the existing State of Punjab and for matters connected therewith, be taken into consideration."

SHRI KAPUR SINGH: Madam Chairman, I have gone through this draft Bill most carefully and I have heard the Hon'ble Home Minister with the diligence and respect which his speeches and utterances always deserve. Madam Chairman, as it is, I have no option but to oppose this Bill. Like the curate's egg, though it might be good in parts, it is a rotten egg. It might be edible, but only as a measure of courtesy, as it is devoid of nutritional qualities and since its putrefaction is far gone, it is really unfit for human consumption.

SHRI TYAGI: It depends upon the power of digestion.

SHRI KAPUR SINGH: I am convinced that it is deleterious for the Sikhs however strong their stomachs might be supposed to be, as Hon'ble Mr Tyagi hints. I oppose this Bill, on behalf of my constituents and reject it on behalf of my parent party, Shromani Akali Dal. I do so for three reason, firstly, it is conceived in sin, secondly, it has been delivered by an incompetent and untrained midwife and thirdly, it is opposed to the best interests of the nation, as it will almost certainly lead to a weakening of national integration and loss of faith in the integrity of those who exercise political power in the country.

SHRI TYAGI: It is not an illicit child.

SHRI KAPUR SINGH: It is not an illicit child but it

is conceived in sin. It may have the vigour of hybrid offspring but unfortunately, it is an offspring of a miscegenous union, and, therefore, I oppose it. I say, it is conceived in sin, because it constitutes the latest act of betrayal of solemn promises – series of solemn promises – given to the Sikh people by the accredited leaders of the majority community, by the revered leaders of the Congress national movement, and by the unchallenged spokesmen of the ruling party.

It will do this House good — it will do the public a lot of good — it will do the people of India a great deal of good — and it will do the International Community a world of good to listen to a brief narration of this story of betrayal of a people, who though small in numbers have not been adjudged as of no consequence in terms of dynamism of History, people, though modern and forward-looking, are staunch guardians of the basic insights into Reality of the ancient Hindu race, and a people who though they may be matched in qualities of courage, self-sacrifice and patriotism, have not been surpassed by any community in India or any group of people outside.

Here is the brief story of a callous betrayal of such a people — the Sikhs of India by those whose flesh of flesh and bones of bones the Sikhs are, and whose ancestors— common ancestors of the betrayed and the betrayers, both — had upheld the highest and the noblest notions and standards of ethical conduct in respect of the subject of keeping faith with fellow men and redeeming promises solemnly made.

I quote from *Mahābhārat, Ādiparvam*, sub-chapter, 74 and verse 25:

— *Yo anayathās antāmātmānam anayathā pratipadayete,*

It means:

"He, who has one thing in mind but represents another thing to others, is capable of committing any sin. For, he is a thief and robber of his own self."

I ask the Hon'ble members to take their minds back to the year 1929, when the All India National Congress met at the banks of the River Ravi – Airavati of our ancestors – and fixed Complete Independence as its political goal. On that bitterly cold night of destiny, I was present as one of the student volunteers in the service of the Nation. On the previous day, the Sikhs had taken out a five hundred thousand strong procession with veteran Baba Kharak Singh leading it on elephant back, from under the walls of the ancient fort of Lahore, which was described in *The Times* of London, as:

"...a most impressive spectacle of human congregation that put the Congress show into shame and shade."

It was on this occasion that Mahatma Gandhi, Pundit Moti Lal Nehru, and Pundit Jawahar Lal Nehru went to meet Baba Kharak Singh at his place on the Chauburji Road, and gave the Sikhs a solemn assurance that after India achieves political freedom no Constitution shall be framed by the majority community unless it is freely acceptable to the Sikhs. This promise was then reduced into a formal Policy Resolution of the All India Congress Committee.

Afterwards, this Policy Resolution was repeatedly reiterated, officially and demi-officially, throughout the period up to August, 1947, and it was not officially repudiated till 1950 when the present Constitution was

framed. The trusting Sikhs, who in their *daily prayer*, extoll keeping faith as the noblest of human virtues, placing complete reliance in this solemn undertaking given to them by the majority community, resisted and refused all offers and proposals made to them by the British and the other people — the Muslims— whom we now prefer to call, the Muslim League— proposing to accord the Sikhs a sovereign or autonomous status in the areas constituting their ancestral homeland between the River Ghaggar and the River Chenab.

This is the first link of the story which I am going to narrate here so as to provide background to the conclusion as to why this Bill should be rejected.

The second link is that in the year 1932, at the time of the Second Round Table Conference, the British Government, through Sardar Bahadur Shivdev Singh, then a member of the Indian Secretary of State's Council, made an informal proposal to the Sikhs that if they dissociate finally with the Congress movement, they would be given such a decisive political weightage in the Punjab, as would lead to their emerging as a third independent element in India after the British transfer Power to the inhabitants of this subcontinent.

The much maligned, the naive, Master Tara Singh, to my personal knowledge, promptly rejected this tempting offer. I was then a student at the University of Cambridge and was closely associated with these developments.

The third link is this: In the month of July, 1946, the All India Congress Working Committee met at Calcutta, which reaffirmed the assurances already given to the Sikhs, and in his Press Conference held on the 6th July, there, Pundit Jawahar Lal Nehru spelt out the concrete content of this solemn undertaking in the following flowery words:

"The brave Sikhs of the Punjab are entitled to special consideration. I see nothing wrong in an area and a set-up in the North wherein the Sikhs can also experience the glow of freedom."

In these words, an autonomous State to the Sikh, within India, was promised.

Fourthly, in the early winter of 1946, the Cabinet Mission, while at Delhi, communicated to the Sikhs through the late Sardar Baldev Singh that if the Sikhs are determined not to part company with Hindu India, the British Parliament, in their solicitude for the Sikh people, was prepared to so frame the Independence Act of India, so that in respect of the Sikh homeland, wherever these areas might eventually go, in Pakistan or India, no Constitution shall be framed such as does not have the concurrence of the Sikhs. But Sardar Baldev Singh, in consultation with the Congress leaders, summarily rejected this offer which went beyond the assurances given by the majority community, in 1929 and in 1946 by Pundit Jawahar Lal Nehru in Calcutta.

Fifthly, in April 1947, Mr Jinnah, in consultation with certain most powerful leaders of the British Cabinet in London, offered to the Sikhs, first through Master Tara Singh and then through the Maharaja of Patiala, a sovereign Sikh State comprising areas lying in the west of Panipat and east of the left bank of the River Ravi on the understanding that this State then confederates with Pakistan on very advantageous terms to the Sikhs and Master Tara Singh summarily rejected this attractive offer. The Maharaja of Patiala declined to accept it in consultation with Sardar Patel and Pundit Jawahar Lal Nehru.

Sixthly, on the 9th December, 1946, when the first meeting of the Constituent Assembly was held under the

Chairmanship of Babu Rajendra Prasad, Pundit Jawahar Lal Nehru moved the first and fundamental Resolution in which it was said:

"Adequate safeguards would be provided for minorities... It was a declaration, a pledge and an undertaking before the world, a contract with millions of Indians, and, therefore, in the nature of an oath\*, which we must keep."

What happens in case of political perjury is not a point I propose to discuss today, for, when neither the feelings of shame, the reproaches of conscience, nor the dread of punishment from any bar is there, the sufferers can only pray to God, which the Sikhs are doing today. But since it is the perquisite of power to invent its own past, I am putting the record straight for the public opinion and the posterity by recapitulating this sorry tale of betrayal of the Sikhs, a trusting people.

Seventhly, in the month of May, 1947, precisely on the 17th May, Lord Mountbatten, Pundit Jawahar Lal Nehru, Nawab Liaquat Ali Khan and Sardar Baldev Singh, flew to London on the invitation of the British Cabinet, in search of final solution of the Indian communal problem. When the Congress and the Muslim League failed to strike any mutual understanding and Pundit Jawahar Lal Nehru decided to return to India, the British Cabinet leaders conveyed to Sardar Baldev Singh that, if he stays behind, arrangements might be made:

"So as to enable the Sikhs to have political feet of their own on which they may walk into the current of World History."

Sardar Baldev Singh promptly divulged the contents of this confidential offer to Pundit Jawahar Lal Nehru and in compliance with the latter's wishes, declined to stay back and flew back to India after giving the following

Sirdar Kapur Singh

brave message to the Press:

"The Sikhs have no demands to make on the British except the demand that they should quit India. Whatever political rights and aspirations the Sikhs have, they shall have them satisfied through the goodwill of the Congress and the majority community."

Eighthly, and lastly, in the month of July, 1947, the Hindu and Sikh members of the Punjab Legislative Assembly met at Delhi to pass a unanimous Resolution favouring partition of the country, in which Resolution occur the following words:

"In the divided Indian Punjab, special constitutional measures are imperative to meet just aspirations and rights of the Sikhs."

It is these very Hindus of the Punjab, who, with the ready aid of the Government of India leaders, even when their understanding was not qualified to keep pace with the wishes of their heart, adopted every conceivable posture and shrank from no stratagem to keep Sikhs permanently under their political heel, first, by refusing to form a Punjabi-speaking State in which the Sikhs might acquire political effectiveness, and second, by falsely declaring that Punjabi was not their mother tongue.

The Bill before the House is a calculatedly forged link in the chain, the story of which I have just narrated. When in 1950, the present Constitution Act of India was enacted, the accredited representatives of the Sikhs — the Shiromani Akali Dal — declared vehemently and unambiguously in the Constituent Assembly that,

"the Sikhs do not accept this Constitution: the Sikhs reject this Constitution Act."

Our spokesmen declined to append their signatures to the Constitution Act as a token of this clear and irrevocable rejection.



I will, for want of time, skip over the story of the Sikhs' sufferings during the last 18 years in an Independent India under the political control of political and anglicised Hindus, and will merely refer to the reply which Pundit Jawahar Lal Nehru gave to Master Tara Singh in 1954, when the latter reminded him of the solemn undertaking previously given to the Sikhs on behalf of the majority community. Pundit Jawahar Lal Nehru coolly replied, "The circumstances have now changed."

If there is one thing that the Sikhs know too well, it is that now the circumstances have changed!

Let us now briefly examine the immediate ancestry of the present Bill. It was on 21st March, 1966 that the Minister of Home Affairs set up a Commission, presided over by a Supreme Court Judge, requiring the Commission, firstly, to examine existing boundaries of Hindi and Punjabi regions of Punjab to set up Punjab and Haryana States; secondly, to determine boundaries by applying linguistic principles as they have resulted in the 1961 census figures; and thirdly, to determine boundaries that do not involve breaking up of tehsils. All these three guidelines given to the Commission by the Government of India are found to be, when they are properly examined by people who understand the realities of our politics, heavily loaded against the Punjab State, and have the effect of reducing Sikhs to even more political ineffectiveness than at present. Nor has the Shah Commission failed to take full advantage of the instruments of discrimination thus placed in their hands by the Government of India. They have, firstly, arbitrarily truncated and reduced, as much as they could, the existing Punjabi region, and secondly, applied all principles of demarcation with a left-handed justice and made use of a principle where it could harm the Punjab and did not use it where it could harm

the resultant territorial interests of Haryana and Himachal Pradesh. For instance, Dalhousie has been taken out of Punjab and given to Himachal because it is hilly, while Morni which is of a higher altitude than Dalhousie has been taken away to be bestowed on Haryana, because its residents are Hindus, which is the same thing as saying that they are Hindi-speaking.

Thus, this story goes on and every conceivable stratagem has been adopted through truncating its areas, through divesting it of its utility undertakings in public sector, and through neutralising its limbs of governmental apparatus and by forging the so-called common links, to reduce the Punjab State into a glorified Zila Parishad, and to convert it into a Sikh quarantine and to achieve these sordid unedifying objectives, the Judiciary has been made use of.

Madam Chairman, permit me to say that if there is one political crime greater than any other, the ruling party has committed during the post-Independence era, it is the frequent employment of Judiciary for quasi-political purposes, and the result is that the Working Committee of the Shiromani Akali Dal has passed a Resolution on the 20th July, 1966, which reads:

"AFTER HAVING CAREFULLY VIEWED the findings, the reports and judgements of judicial and quasi-judicial Tribunals and Forums that have dealt with matters and cases involving important Sikh interests, COMES TO THE CONCLUSION, that the entire judicial machinery and the judicial process of the

Independent India, under influences of certain section of political Hindus, is prejudiced and has been perverted against the Sikh people in India in relation to their just and legal rights."

Madam Chairman, here it might be honestly asked,

and I am sure there must be many honest Members in this House, who might wish to ask the question as to what is this tiresome talk this man is talking about — the Sikhs' interests in a secular democratic India; where is the question of the Sikhs being discriminated against. There are no Sikhs or Hindus in a democratic secular set-up, and the Constitution has already established it in this country. To this, I can give a very simple reply. Constitutional provisions are not the same thing as day-to-day political realities. As for the democracy, its form is one thing and its substance is quite another thing. Those who equate them are treacherous without art and hypocrites without deceiving. The *Mundūkopaniṣad*, our ancient scripture, tells us that *Samsāra* is the manifestation of four modifications of Self, the Atma, and it is called as *caturpād*. Likewise, a modern State, that is the Government, has four estates: the Parliament, the Executive, the Judiciary and the Press. The concrete realities of the four alone can furnish an acid test as to whether the Sikh problem in India is a real problem or not.

To the Executive and the Judiciary, reference has already been made by me. I now propose to make a reference to Parliament, this august House, which is deserving of our highest respect, as its dignity is the dignity of the people of India and hence inviolable. Nevertheless, the Sikhs are aware that under the existing constitutional arrangements, they cannot send more than a couple of their own representatives to the Parliament and even they may not always be heard freely. How many times has it happened in this House, in the recent past, that particular Members of the minority communities have been made aware, in no uncertain manner, that they must not — must never say this thing or that, or else a hearing may be denied to them. How many times the

disciplinary wrath of the House has befallen on individuals, without hearing them and without letting them subsequently submit that their punishment was not in order?

And, lastly, the Press. We have a free Press here and a lively and impartial Press, on the whole. But, what is it like when it comes to dealing with Sikhs or questions largely concerning the Sikh? In the days of his clash with Beaverbrook, Baldwin said of the Press:

"power without responsibility, the privileges of harlots throughout the ages."

And, I say no more. I have said enough to explain the background of the Resolution No. 2 of the Working Committee of the Shiromani Akali Dal passed on the 20th July, 1966, wherein occur the following passages in relation to the scope of this Bill:

"SIKHS RESOLVE AND PROCLAIM their determination to resist, through all legitimate means, all such attempts to devalue and liquidate the Sikh people in a free India, and consequently, DEMAND that the following steps should be taken forthwith by the rulers of India to assure and enable the Sikhs to live as respectable and equal citizens of the Union of India, namely, FIRST, the Sikh areas deliberately and intentionally cut off and not included in the new Punjab to be set up, namely, the area of Gurdaspur District including Dalhousie, Ambala District including Chandigarh, Pinjore, Kalka and Ambala Sadar, the entire Una Tehsil of Hoshiarpur District, the areas of Nalagarh, called Desh, the tehsil of Sirsa, the sub-tehsils of Tohana and Guhla, and Rattia Block of District Hissar, Shahbad block of District Karnal, and the contiguous portion of Ganganagar District of Rajasthan must now be immediately included in the new proposed Punjab so as to bring all contiguous Sikh areas into an

administrative unit, to be the Sikh Homeland, wherein the Sikh interests are of special importance, within the Union of India. And, SFCOND, such a new Punjab should be granted an autonomous constitutional status on the analogy of the status of Jammu and Kashmir as was envisaged in the Constitution Act of India in the year 1950."

I am coming to a close. Madam, on behalf of the Sikh people represented by the Shiromani Akali Dal, I reject the entire schemata of this Bill, and oppose it. I call upon the Government to take necessary legislative measures to solve the problem of Punjab in the light of the Resolution of the Shiromani Akali Dal just referred to.

## Notes

\*To take recourse to a solemn oath, to inspire confidence that might be betrayed when convenient, is quite in the political tradition of the Indian National Congress. On 16th March, 1931, Mahatma Gandhi came to a special congregation held in Gurdwara Sisganj, Delhi, where he asked as to what guarantee there was that his Indian National Congress would implement the assurances given to the Sikh people in 1929, at Lahore. His reply is published in his *Young India*, of the 19th March, 1931, and it contains the following:

"Sardar Madhusudan Singh has asked for an assurance that the Congress would do nothing that might alienate sympathies of the Sikhs from the Congress. Well, the Congress, in its Lahore Session, passed a Resolution that it would not enter into or be a party to any settlement with regard to the minority question that failed to satisfy any of the minorities concerned. What further assurances the Congress can give to the Sikhs, I fail to understand. I ask you to accept my word and the

Resolution of the Congress that it will not betray a single individual much less a community. If it ever thinks of doing so, it will only hasten its own doom... I pray you, therefore, to unburden yourselves of all your doubts... What more shall I say? What more can I say then this? Let God be the witness of the bond that binds me and the Congress with you."

When further asked as to what may the Sikhs do in case of betrayal, he said, the Sikhs could, in that case, take their *kirpans* in hand with perfect justification before God and man.

## ANNEXURE V

### Meem Sheem's Diary

#### **Panth sold Dirt Cheap** (Original in Urdu)

(The famous journalist and prestigious newspaper reporter of West Pakistan, Mian Muhammad Shafi wrote the following article in Lahore's daily newspaper, "Navaye Waqt" in the December 6, 1968 edition, under the heading "Meem Sheem ki Diary":)

This is the tale of a letter addressed to Qaid-e-Azam reached in the file of Pundit Nehru instead of the addressee's file. The detailed description of this tale is that Kaide-Azam had great sympathy with the minority community of the Sikhs in Punjab. It was believed that if the fifty-six percent Muslims of Punjab and thirteen percent Sikhs create a combined force against the Congress, it will not only save Punjab from being divided but even other areas in India will be saved from unnecessary carnage, and Muslim-Sikh unity in Punjab can find solutions to many problems and conflicts. With this belief, many meetings were held between Qaid-e-Azam and some Sikh leaders, especially Giani Kartar Singh, but by this time Maharaja Patiala and Sardar Baldev Singh had great intereference in the Akali politics. They had succeeded in bringing the Sikhs close to the Congress. Consequently, the Sikh leaders were busy boasting against the Muslim League day and night.

Seeing this situation, at one occasion, Qaid-e-Azam gave a statement in a newspaper that the Sikhs and Muslims instead of talking against each other should be talking to each other. After his declaration, some

representatives of All India Sikh Students Federation, among whom Sardar Amar Singh Ambalvi was a prominent one, met Qaid-e-Azam in Momdot Villa through the courtesy of late Hamid Nazami. In reply to the Sikh Students question as to how they could talk to each other, Qaid-e-Azam suggested to them that instead of talking about irrelevant matters, the Sikhs should write down their demands. As far as Muslim League is concerned, it will consider them sensibly and sympathetically.

The Sikh youngmen conveyed Qaid-e-Azam's message to their leaders, and adamantly demanded that they should at least convey their demands to Qaid-e-Azam to take it to its logical end. Since Giani Kartar Singh was considered the brain of the Sikhs, he drafted a letter to Qaid-e-Azam, in which the demands of the Sikhs had been listed under political, religious and cultural demands. In it besides the province, the proportion (percent numbers) of Sikhs in civil and defence jobs was emphasised. About the Sikh estates of Patiala, Nabha, Jind, Faridkot, and Kapurthala, it was demanded that assurance be given that the Chief Minister or Governor of undivided Punjab should be a Sikh. The most important item on this list was that the provincial or central government in Pakistan will not have the right to pass legislation about any matter that concerns the Sikhs' religious matters, without the consent of the Sikhs. The last sentence of this letter was "Just as the Sovereign Parliament of Britain does not have the right that it can end the monarchy on the strength of votes, in the same manner, the provincial or federal governments in Pakistan will not have the right only on the strength of votes to pass legislation on the religious matters of the Sikhs." In this letter, Giani Kartar Singh assured Qaid-e-Azam that if the Muslim League accepts



these few demands of the Sikhs then the Akali dal and Muslim League can work together to let Punjab remain undivided.

Giani Kartar Singh had shown this letter to Master Tara Singh also who not only approved it but also added the following sentence to it as a postscript: "Master Tara Singh agrees with every thing written in this letter."

When this memorandum was typed and ready to be sent, it was decided that instead of sending it by post, it should be sent through a reliable person to Qaid-e-Azam. The decision was to send a special confidant of Giani Kartar Singh, Dr Gopal Singh Dardi. Giani ji sent for Dardi and handing over the letter to him, told him to go to Delhi and deliver this important document at 10, Aurangzeb Road, where Qaid-e-Azam was residing those days. Mr Dardi, instead of going to 10, Aurangzeb Road went to Birla House where a function of the Congress was in progress, and instead of giving the letter to Qaid-e-Azam, handed it over to Pundit Jawahar Lal Nehru. Thus, another "if" was added in history. If those documents had reached Qaid-e-Azam, it is possible that in spite of the fact that Sikh politics had succumbed to the future of Sardar Baldev Singh's steel mill and Maharaja Patiala's Muslim hatred, there was a probability that Mr Jinnah would have adopted a sympathetic attitude for the sake of protecting the undivided Punjab. And, it was also possible that through mutual transactions and dialogue a situation may have risen by which Punjab could have remained undivided. Then the map of the Indian subcontinent would have been very different.

Here it is interesting to mention that Mr Gopal Singh Dardi was rewarded for his services in return by making him a member of the upper house of the Punjab Legislature through the personal intervention of Pundit

Nehru. Today the Sikh masses can say this about Dardi that "this lick-spittle sold the nation dirt cheap.\*

\* Dr Gopal Singh Dardi was not elected by the Punjab Vidhan Sabha as a member of the Rajya Sabha in 1962. On the orders of Pundit Nehru's Government, the President nominated him. Dr Gopal Singh was appointed to the prestigious post of Foreign Ambassador also.

## ANNEXURE VI

(Interview of Sardar Gurmeet Singh, Advocate Sirsa, District Hissar (Punjab) with a Pakistani citizen Hari Singh, published in the daily "Jathedar" of August 19, 1970 edition.)

### When Master ji refused to meet Mr Jinnah

(Interview with Hari Singh of Pakistan)

(Gurmeet Singh Advocate)

We reached Badami Bagh station Lahore by train at 12 o'clock on June 4, 1970. We took a *tonga* from the station and reached Gurdwara Dera Sahib. We could not get a room for the night but an acquaintance allowed us to keep our bags in his room. I left my bags in the room and carried my bedding to the terrace and slept on the cold marble floor near the grave of Maharaja Ranjit Singh. My co-travellers woke me up at 6 in the morning. The Gurdwara has proper toilets. I got ready in no time. Akhand Path was started at about 7.30 am and the devotees came out after taking prasad. Everyone was keen to go around Lahore and meet their old Muslim friends. But as per the orders of Pakistan Government the pilgrim could not go out of the precincts of the Gurdwara. All the pilgrims were visibly angry. I told my fellow travellers that instead of staying here like prisoners, we should go back in protest. Five Sikhs should stay back to complete the Akhand Path, who will return after the Bhog. The pilgrims agreed and asked me to draft a letter of protest. I sat down on the floor in one secluded corner and three or four others also came and sat beside me. One of them was a slim, grey-bearded old man, who appeared to an employee of the Shromani Gurdwara from his talk and

clothes. He pointed to a tall and slim man and said to me, "He is Giani Hari Singh, a Pakistani citizen and a Pakistani spy. He keeps an eye on everything that goes on in the Gurdwara and conveys it immediately. You tell him also about your protest. He will immediately tell the Pakistani authorities and perhaps our job will be done.

That reminded me that I had read about Giani Hari Singh in an Urdu newspaper some years ago that he used to take messages to and from the Sikh leaders and Mr Jinnah. I wanted to meet him. I told that employee to tell Hari Singh that I wanted to meet him. The co-travellers said that I should ask him to get us permission to go out. He promised that he would try his best. I took Giani ji aside and said that I wanted to ask him a few questions. He agreed, but I could sense some reluctance from his expression. I understood and asked my literary friend Giani Ibadulla who presents the Punjabi Durbar feature from Lahore Radio station to put in a word for me. Giani Ibadulla introduced me to Giani Hari Singh and said that he should answer my questions unreservedly. I took Giani Hari Singh to a beautiful green park next to the Gurdwara where we had the following conversation:

Question: Giani ji, I have heard that you are the only Sikh in Pakistan who has taken Pakistan citizenship.

Answer: No. There are other Sikh families in the Frontier Province. Of course, I am the only Sikh in West Punjab.

Question: When and where were you born? And what were your parents' names?

Answer: I was born in 1908 at Kot Baba Deep Singh, District Amritsar. My father's name was Havaladar Sohan Singh and mother's name was Pritam Kaur.

Question: I have heard that you had good relations with Mr Jinnah. Where and when did you first meet

Mr Jinnah?

Answer: I met Jinnah Sahib for the first time in 1946 on Aurangzeb Road, Delhi where he was staying. I was accompanied by another Sikh friend, Sardar Hazara Singh Majitha.

Question: For what purpose did you meet him and in what capacity?

Answer: I was the President of the Baba Jeevan Singh Mazhabi Dal, and the Dal had given me the authority, by passing a resolution, to talk with Mr Jinnah to try and avert the partition of Punjab, and to strike conciliation between the Muslims and the Sikhs.

Question: What was the reason for passing such a resolution?

Answer: It was our opinion that the partition of Punjab would entail heavy losses for the Sikhs because they would have to leave their properties behind and their religious places will also slip out of their control. We felt the danger of massacre. Guru Gobind Singh had said that the Sikh who has sexual intercourse with a Muslim woman will not remain his Sikh. We were scared that in the circumstances that were developing, many Sikhs will not be able to live up to this principle.

Question: What reply did Mr Jinnah give to your question?

Answer: Mr Jinnah was very pleased and he said that he was ready to make an autonomous Sikh State in Pakistan, where the Sikhs will have complete freedom.

Question: What came out of this?

Answer: Mr Jinnah told us that we should persuade Master Tara Singh to hold Jinnah-Master talks. I took Mr Jinnah's message to Master Tara Singh and met him at his residence at Sikh Missionary College, Amritsar. There were thirty four more Sikhs with me. Master ji refused to

meet Mr Jinnah and said that he would avenge the killings of Sikhs in Rawalpindi.

Question: Which Sikh leaders were in agreement with you?

Answer: Actually, many Sikh leaders agreed with me. But were silent because Master ji had opposed it. Giani Kartar Singh kept working for this mission openly and he attended the Muslim Convention in Delhi for the same purpose. Later he came under Master ji's influence and backed out.

Question: Jinnah Sahib had said in a speech that 'our intentions for Sikh friends are not bad. I appeal to them to free their minds of any hostility — they should meet us — I am absolutely sure that we can reach a conclusion that is acceptable to our Sikh friends. ("Mera Hindustan" p. 92) What is your opinion about it?

Answer: In my opinion if Master Tara Singh had met Mr Jinnah once, then an agreement was certain. Mr Jinnah was ready to accept every condition of the Sikhs. If this had happened the geography and history of India would have changed.

## ANNEXURE VII

### Speech in Punjab Legislative Assembly

(Sirdar Kapur Singh MLA (former MP) gave the following speech in the Punjab Vidhan Sabha, Chandigarh, on the motion regarding the martyrdom of Sardar Darshan Singh Pheruman on October 27, 1969.)

Mr Chairman Sir, the motion placed before the House states that Sardar Darshan Singh Pheruman "sacrificed his life to include Chandigarh in Punjab."

Sir, this is correct also and misleading as well. Guru Nanak enjoins that "Mann sach kaswati layiye tuliye pure tol." To say anything which does not meet the standard of truth on the occasion of a great martyrdom is improper.

The last will that Shaheed Darshan Singh Pheruman made has been made public and is with almost all the press. This last will was verified in my presence on August 1, 1969 and has my signatures as witness. To avoid any ambiguity or misunderstanding, Sardar Darshan Singh got this will tape-recorded as well, and the tape-recording in Sardar Darshan Singh's own voice is safe.

Mr Chairman, what can be a more correct evidence of this will of Sardar Darshan Singh Pheruman than this will of his?

Here is an excerpt from his testament which was published in several newspapers on Oct 28, 1969:

"For the last half a century I have worked through sufferings and tribulations for the freedom of my country and for ensuring ever increasing ascendance and expansion of the Panth. The country is now free but the Panth is still in bondage. In the country corruption and moral degradation have vastly increased. The management of the

Sikh Gurdwaras and the conduct of Sikh politics have fallen into the hands of hypocrites, styling themselves pious men and saints and those who did not wish the Panth well. The doctrines of the Sikh religion, the traditions of the Sikh religion, the traditions of the Khalsa, the historical splendour of the Sikh Nation had been thus trampled under the feet of these undesirable persons. Those who had played up the drama of undertaking solemn vows before the Akal Takhat to immolate themselves have, by taking recourse to lies and cowardice, captured the decision-making centres of power. The traitors of the Panth and the pious frauds, called saints, have successfully hatched an ugly conspiracy to eliminate every vestige of the wholesome influence of Sikh religion from Sikh politics with the purpose of making Sikh people slaves of others. This grave sin can be washed away only through a genuine and pure martyrdom. The ugly and audacious memorials which Sant Fateh Singh has got constructed, as rivals of the holy Akal Takhat, are calling loudly for genuine sacrifices from the Singhs. To achieve this end, I am going to lay down my life."

To achieve this end, I am going to lay down my life.

It is my appeal to the Sikhs that they recognise their duty after I am gone. My body should be cremated in the agni-kund made for Sant Fateh Singh and my ashes should be sent to Kiratpur. The traitors should be given the treatment they deserve and the agni-kunds made in Akal Takht should be destroyed as they are against the tenets of Sikhism and a blot on the bright countenance of the Panth.

Please pray that our tenth master accepts my sacrifice and showers his blessings on the Panth.

Long live sampuran Punjab!

Long live the Sikh Homeland!

Waheguru ji ka khalsa waheguru ji ki fateh!"



Sir, these are the targets for which Sardar Darshan Singh Pheruman sacrificed his life:

1. Sardar Pheruman's fast unto death was, at long last, the real thing. Ostensibly, Chandigarh as also the control of Bhakra-Nangal were also the issues mentioned by him, but if one examines all the evidence minutely one feels convinced that primarily he died in protest against the gross perfidy of the Akalis headed by Sant Fateh Singh who enjoyed all the privileges which an Akali Government could grant.
2. As Sardar Pheruman said again and again, he had decided to immolate himself in order to redeem the honour of the Panth which had been brought down by the fraudulent showmanship of its leaders.
3. His sacrifice was to be a practical demonstration of what a true and humble Sikh could do. When he launched his fast on Aug 15, 1969, leaders like Jiwan Singh Umrangal and Sant Fateh Singh decried his "stuntmanship" wrongly thinking that he was also of their ilk. He proved them wrong and expired on Oct. 27, 1969 on the 74th day of his fast. All through his fast he remained either reciting or listening to Gurbani, particularly the Sukhmani Sahib.
4. This sacrifice was made for establishing a homeland of the Sikhs and an autonomous nation in independent India

I salute this great martyr, an embodiment of the Sikh sentiment, today, because he is the first martyr of the Sikh Homeland.

Sir, Sardar Darshan Singh Pheruman had openly declared in July 1969 only that he was determined to give his head for dharma. He wrote two letters to the so-called Sant Fateh Singh, publically announcing that he should

destroy the 'agni-kunds' because they are a scar on the dignity of the Akal Takht. Darshan Singh challenged Fateh Singh to come forward and both of them will give their heads in the service of the Sikh nation. In response, this so-called Sant called Darshan Singh a shamir and an instrument in the hands of the Congress Government.

On August 1, 1969 a conference was held in Rayya Mandi, in which Sardar Darshan Singh announced that on August 15th he would bow his head in the Golden temple and pray in the Akal Takht that he would fast unto death, an oath which Sant Fateh Singh and his companions had done and broken many times. Either his prayer would be granted or he will lose his life. I was present in this conference, where he said again and again that after he begins his fast-unto-death no one should violate law and order or cause damage to any government property.

On August 9, some unknown person called Gurdit Singh got a report filed in Beas Police Station or he was made to do so. In this report, these words were put in Gurmeet Singh's mouth that "Darshan Singh is openly calling Fateh Singh a hypocrite and fraud." And that Darshan Singh does not consider the current Akali-Jansangh coalition government a welfare government of the Panth. It was written in the report that Pheruman is talking of wielding the sword. How difficult is to find a Gurdit Singh or a Ganga Ram in a State where the Chief Minister (Sardar Gurnam Singh) himself tells lies publically that I (Sirdar Kapur Singh) was making provocative speeches in Pheruman village when I was actually standing quietly by the side of the dead body of Shaheed Darshan Singh, in the presence of thousands of people?

Mr Chairman, on August 10, Bhai Chanan Singh, who calls himself a 'chhota sant' and the 'vadda sant'

Fateh Singh told Sardar Gian Singh Rarewala in Ganganagar that they had made proper arrangements to teach Darshan Singh a lesson for his life. It clearly refers to the report filed by Gurdit Singh in the Beas Police Station.

Sardar Gian Singh Rarewala disclosed this secret in 'an open letter addressed to Fateh Singh (Sant) which has been published in the newspapers.

On August 12, as is evident from the police FIRs, the police started working on the report. But, as was necessary by law, the police did not write Sardar Darshan Singh's statement in order not to expose what my friend Sardar Gurnam Singh was up to.

During the night of August 12 and 13, the Punjab Police gheraoed the house of Sardar Darshan Singh, built on the outskirts of the village. Sardar Darshan Singh was arrested under Section 9 of Punjab Security Act and sent to Amritsar Jail.

On August 15, 1969, at 4 o'clock in the evening, Pheruman prayed, as he had already planned, and started his fast-unto-death.

On August 16th and in the coming days, the hypocrite saint Fateh Singh carried out a continuous hate campaign against this great martyr. He and his followers repeatedly asserted that Sardar Darshan Singh wants to finish Sant Fateh Singh's leadership as though he has a hereditary, and permanent birth right on it.

Thus, Fateh Singh left no doubt that the meaning of Section 9 of Punjab Security Act slapped by the Akali-Jansangh coalition government was that Sant Fateh Singh's hold on Punjab should stay permanent.

In the third week of September, Sardar Gurnam Singh, Chief Minister told Sardar Darshan Singh in the prison that if anybody tried to cremate his dead body in the agni-kund made in the Akal Takht, then both the

Sants will resort to a lot of bloodshed for which they are fully prepared. According to Sardar Gurnam Singh, Sardar Darshan Singh agreed that his body should be taken to his village Pheruman and cremated there.

During these days only Sardar Darshan Singh was taken from the Amritsar prison to Government Hospital Amritsar and was kept under strict vigilance of the police in the hospital and no one was given permission to meet him.

In the beginning of October, orders on paper only were given for Pheruman's release, but he was kept imprisoned, in the hospital.

On October 25, he became so weak that he started fainting frequently. At this point of time, Pheruman told his close relatives who were present that 'don't let the depraved shadow of Fateh Singh fall on my body while alive or after my death.' This has been revealed by his relatives in the newspapers.

On October 27, a shamefaced and confused Sant Fateh Singh also arrived in propria persona, obviously to persuade him to break his pledge and fast like he himself had done twice. But, it so happened that as soon as Fateh Singh stepped inside the room, the power of the whole city went off, and it took full 48 hours to restore power to the city of Amritsar. Thus, the martyr's last wish that Fateh Singh's shadow should not fall on him was granted.

Sardar Pheruman expired on Oct. 27, 1969 on the 74th day of his fast, at half past three in the afternoon. All through his fast he remained either reciting or listening to Gurbani, particularly the Sukhmani Sahib.

The Punjab Vidhan Sabha was in session at that time, but the Chief Minister did not inform the House about his death till some members of the opposition parties forced him to do so at four thirty.

In Amritsar, the police made an unsuccessful attempt to cremate the body after forcibly snatching it from the relatives and taking it to Pheruman village overnight.

Sir, Sardar Darshan Singh Pheruman is a great Sikh, who was compelled to sacrifice his life to save the religion from those who call themselves the Akali Government. This government is determined to maintain the strong hold of Fateh Singh on Sikh Panth, Sikh religious places and Punjab Government, by hook or by crook. This government took Pheruman into custody to make him forcibly break his fast. And then they made many attempts to force him to go back on his word so that no Guru's Sikh would ever be able to hold his head high. They did not allow him to pay his homage in Darbar Sahib or pray in Akal Takht. This is the birth right of every Sikh, which was denied by the Akali-Jansangh government for the first time after the Mughal rule. Finally, the martyr's body was badly insulted and without completing the religious rites was consigned to the flames by the police.

This entire narrative has become a part of history. No cunningness, fraud, deception, politics can hide this crime against the Sikhs.

Karib hai yaro ruze mehshar,  
Chhupega kushton ka khoon kyunkar  
Jo chup rahegi zabane khanjar,  
Lahu pukarega aastin ka.

## ANNEXURE VIII

### A Ray of Light in the Darkening Twilight

We have already narrated that Haryana state was formed on 1 November 1966, on the recommendation of the Sardar Hukam Singh Parliamentary Committee. The formation of this committee was announced in the Parliament on 23 September 1965. On 23 April 1966, acting on the recommendation of the Hukam Singh Committee, the Indian government set up the Shah Commission under the chairmanship of Justice J. C. Shah, to divide and set up the boundaries of Punjab and Haryana giving consideration to the language spoken by the people. The commission gave its report on 31 May 1966. According to this report the then districts of Hissar, Mahendragarh, Gurgaon, Rohtak, and Karnal were to be a part of the new state of Haryana. Further, the tehsils of Jind (district Sangrur), Narwana (district Sangrur), Naraingarh, Ambala and Jagadhari were also to be included. The commission recommended that Tehsil Kharar (including Chandigarh) should be a part of Haryana.

The city of Chandigarh and a Punjabi-speaking area of district Rupnagar were made a Union Territory serving as the capital of both Punjab and Haryana. According to the Rajiv-Longowal Accord, Chandigarh was to be transferred to the state of Punjab in 1986, but the transfer was delayed and it has not been executed so far.

Sant Fateh Singh, who had been propagating that 'Punjabi Suba' was his 'child', accepted it and announced from Manji Sahib (Golden Temple) that he would get the remaining conditions fulfilled by the government. But, when the government did not oblige, he threatened to go

on a fast-unto-death on November 20, 1966. Soonafter, on December 17th he began his fast and threatened to immolate himself on the 27th December if justice is not done by then. Six of his associates declared that they would immolate themselves one day before Sant Baba, ie, on the 26th of December.

Many political moves were made, but the government did not budge an inch. When the day of Sant Baba's immolation drew near, Fateh Singh began sending feelers through his contractor friends to Sardar Hukam Singh, Speaker, Lok Sabha. At the exact moment when he was to immolate himself, all the world media was present with TV cameras, a chartered plane carrying Sardar Hukam Singh arrived in Amritsar. The glass of juice and canisters filled with water (not kerosene) were kept near the havankunds to deceive the world. The Sikh masses gathered in the Akal Takht even saw stretchers being carried towards the havan kunds with tearful eyes. One among the Sikh sangat was Bhai Nand Singh, a sincere follower of Fateh Singh. He was a Dravidian, born and brought up in South India and lived in Tamil Nadu. He had been deeply impressed by the Sikh valour and had taken amrit and converted to Sikhism. For some time he had been serving as a granthi in Bahadurpur, a village near Amritsar. He was one among the sangat when the scene changed right in front of his eyes. On Hukam Singh's assurance that "I am personally satisfied" that the verdict will be in favour of Punjab, the working committee of Fateh Singh's party decided to break the fast. When the proposal was thrown open to the public, there were loud cries of "No, not acceptable at all." At once, the hypocrite sant passed a decree that "this is not the Guru's sadh sangat, but the men of Master Tara Singh." His followers took the hint and started showering a volley of lathis on

the gathering. These gundas had been kept on the alert to deal with this kind of a situation. All this happened at the entrance of the Golden Temple.

Bhai Nand Singh was standing next to a group of hot-blooded college students and saw them being beaten by the gundas to calm them down. He could not bear it and immediately went along with the young men to the office of Shromani Akali Dal near Baba Atal Sahib. Bhai Nand Singh felt the whole scene that was being enacted in Akal Takht was a blot on the bright countenance of the Khalsa Panth, and asked the Secretary, Akali Dal for permission to do something to wipe this blot. Then he came out and met his lawyer friend and expressed the same feeling to him as well. Then he bid farewell before leaving.

Bhai Nand Singh had very profound feelings for the Panth. He had been to the jail also during the 1960 agitation of Punjabi Suba, because he thought that Punjabi Suba would mean the welfare of the Sikhs. He could not bear to see this fraud and decided to give up his life for the cause of protecting the Panth from becoming a laughing stock. He wrote letters to convey his intentions to the Secretary of Shromani Akali Dal and the cowardly Sant Fateh Singh. He got a saffron robe and a blue waistband made. And, with his own hands, he built a funeral pyre.

On the appointed day, April 13, 1967, on the birth anniversary of the Khalsa, he got up at three o'clock, and after his daily ablutions, performed his daily functions as a granthi. Taking leave of the Guru, he went and sat on the pyre, and recited Japu ji Sahib with full concentration. After completing it, he poured petrol on himself and consigned himself to the flames.

Fateh Singh's newspaper Kaumi Dard crossed all limits of decency and dubbed this great sacrifice as "an



accidental death" and "a result of witchcraft". Fateh Singh and his people told blatant lies to belittle the great sacrifice of Bhai Nand Singh. Fateh Singh went to the extent of denying the receipt of Bhai Nand Singh's letter.

The two letters he wrote before his martyrdom are given below:

"Ek Omkar Satgur Parsad! Nand Singh wishes Guru Fateh to the Shriman Sardar Ajmer Singh and the Sikh Sangat. I had converted to Sikhism after hearing about the Sikh glory and reading the Sikh history. I believed that the Sikhs live up to their word even at the cost of their life. A Sikh can die but cannot tolerate the Panth being insulted. I am ready to make my sacrifice. I will give up my life to open the eyes of the Sikh leaders and to spread the Sikh traditions. If you pay heed, the Sikh nation will prosper. Forgive me. I am sending one letter to Sant Baba Fateh Singh. Fateh to the Sikh Sangat. Yours truly, Nand Singh, Granthi, Village Bahadurpur.

The second letter: "Sarpanch Sahib and other illustrious friends, I am going away from you for ever. Please do forgive me if I have faulted at any time while I was here. Do not give my dead body to the police and cremate it in the village itself. Please call Darbara Singh of Kalaipur at the time of cremation and sell my bicycle and get an Akhandpath done with the money you get in lieu of the cycle."

Such innocence! Such devotion!! Such determination!! This is how Bhai Nand Singh shone like a beacon in the thickening darkness all around!

This martyrdom was talked about all over the world and people became aware of Sikh traditions, but our tenth master did not help the Panth. The wise men believe it is the result of the Sikh leaders breaking their promises which they made in the presence of the Guru. May be

when one of them lives up to his word, the Guru may forgive them. True to the Sikh tradition, another old man from Pheruman showed the same courage and is now known as Shaheed Darshan Singh Pheruman all over the world.

## ANNEXURE IX

### The will of Shaheed Darshan Singh Pheruman

I, Darshan Singh Pheruman, want to convey this last message to the Panth and my countrymen, and all the good people of the world. When this message reaches you I will have departed from this world.

Today, on August 1, 1969, I have lived 85 years of my life. For the last half a century I have worked through sufferings and tribulations for the freedom of my country and for ensuring ever increasing ascendance and expansion of the Panth.

The country is now free but the Panth is still in bondage. In the country corruption and moral degradation have vastly increased. The management of the Sikh Gurdwaras and the conduct of Sikh politics have fallen into the hands of hypocrites, styling themselves pious men and saints and those who did not wish the Panth well. The doctrines of the Sikh religion, the traditions of the Sikh religion, the traditions of the Khalsa, the historical splendour of the Sikh Nation had been thus trampled under the feet of these undesirable persons.

Those who had played up the drama of undertaking solemn vows before the Akal Takhat to immolate themselves have, by taking recourse to lies and cowardice, captured the decision-making centres of power.

The traitors of the Panth and the pious frauds, called saints, have successfully hatched an ugly conspiracy to eliminate every vestige of the wholesome influence of Sikh religion from Sikh politics with the purpose of making Sikh people slaves of others.

This grave sin can be washed away only through a genuine and pure martyrdom. The ugly and audacious

memorials which Sant Fateh Singh has got constructed, as rivals of the holy Akal Takhat, are calling loudly for genuine sacrifices from the Singhs.

To achieve this end, I am going to lay down my life.

It is my appeal to the Sikhs that they recognise their duty after I am gone. My body should be cremated in the agni-kund made for Sant Fateh Singh and my ashes should be sent to Kiratpur. The traitors should be given the treatment they deserve and the agni-kunds made in Akal Takht should be destroyed as they are against the tenets of Sikhism and a blot on the bright countenance of the Panth.

Please pray that our tenth master accepts my sacrifice and showers his blessings on the Panth.

Long live sampuran Punjab!

Long live the Sikh Homeland!

Waheguru ji ka khalsa waheguru ji ki fateh!

Servant of the Sikh sangat

Darshan Singh Pheruman

## ANNEXURE X

REGISTERED No. D-481

The Gazette of India  
Extraordinary  
Part II-Section 3  
Published by Authority

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*No. 3 7) New Delhi, Saturday, September 2, 1950.*

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Ministry of Law

### Notification

New Delhi, the 2nd September, 1950

SRO 507 — The following Order made by the President is published for general information:

THE CONSTITUTION (REMOVAL OF DIFFICULTIES) ORDER No. VI

CO 21 — In exercise of the powers conferred by clause (1) of article 392 of the constitution of India the President is pleased to make the following Order, namely:

1. (1) This Order may be called the Constitution (Removal of Difficulties) Order No. VI.  
(2) It shall come into force at once.
2. So long as any of the persons who not being citizens of India at the commencement of the Constitution, became Judges of High Courts by virtue of clause (1) of article 376, holds office as a Judge of any High Court or of the Supreme Court, the Constitution of India shall have effect subject to the following

adaptations:

To clause (1) of article 376, the following shall be added, namely:

"Any such Judge shall notwithstanding that he is not a citizen of India, be eligible for appointment as Chief Justice of such High Court, or as Chief Justice or other Judge of any other High Court or of the Supreme Court."

RAJENDRA PRASAD

*President*

KVK SUNDARAM

*Secretary*

## ANNEXURE XI

### *Memo*

**19th November 59. 3.30 PM**

IM Lall: Achhru Ram is not available. I have to carry the baby.

CJ: I hope it is a healthy baby.

**20th November 59**

**11.30 AM at the beginning of the Case.**

CJ: "Why help a bad man, Mr Lall."

**2 PM**

CJ: Pb Govt would be justified to suspend at midnight of a holiday, for it is their duty to deal with bad men.

Again

CJ: If suspension was legal their bad motives do not matter.

IM Lall: It was not legal.

CJ: Please do not argue about suspension; we are not going into that.

CJ: The fact that appellant protests that Weston's report is malafides, shows how irresponsible he is.

**23rd November 59**

CJ: Well appellant has been judged by his peer.

CJ: Appellant has written a 300 pages Reply to Show-Cause Notice. Did he expect President to read it?

CJ: Obviously, all his writing skill has not been able to convince President of the innocence of the appellant.

**24th November 59 (Overheard)**

Dasgupta J (privately to CJ): The Act 37 of 1850 does not apply to the ICS.

CJ: (In an obviously dejected mood) Yes, but appellant further says, it does not apply to anybody.

Dasgupta J (Referring to Act 37 of 1850): to the Govt.

Counsel: There is a provision in this Act which empowers Prosecution to lead evidence after the Defence is closed to rebut the defence. Is there such a provision present in any civilised Jurisprudence of the world?

CJ: Yes, there is.

Dasgupta J: I mean in the British Jurisprudence, not Soviet.



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**Sirdar Kapur Singh**

## **The State of the Sikhs in Punjab Before and After the Partition**

*Sachi Sakhi* by Sirdar Kapur Singh is a fascinating book that throws light on pre-partition events that have been successfully brushed under the carpet after India gained independence. In the autobiographical note, he describes the long-drawn legal battle he fought against the injustice done to him by dismissing him from the prestigious post he held as an ICS officer in the early post-independence days.

It is a sad commentary on the multiple opportunities lost by the Sikhs because of their short-sighted, jealous and gullible leaders. According to Sirdar Kapur Singh, in the years preceding the partition of India, the Muslims wooed the Sikhs to press for an autonomous state and promised to give one, if they would align with them. The British were keen to grant the Sikhs a respectable status so that they too could breathe the air of freedom. But the Sikh leaders failed to rise to the occasion due to infighting and petty considerations.

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This narrative is not only the story of the Communal Award made by the British Government to solve the political problem of India, but also throws light on the background of the tension between the various religious sects of India and their different demands. It also hints at the fire of hatred spread by a fanatic sect of Muslims against non-Muslims in North India, which was the main cause behind the string of sacrifices from Guru Arjan Dev ji to Guru Gobind Singh and his four sons, which later became the foundation of the political struggles between the Sikhs and the Muslims.

—Dr Ganda Singh



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